# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

9100	General
Plaintiff(a)	
Plaintiff(s),	Case No. 89-CR-83-01-E
vs.	Date _ 9/4/90
Laren En a Hall by	77
Laran Eugene Hall, Sr	
***************************************	PROCEEDING Learning
Defendant(s).	
JUDGE COOK Deputy R. Miller	~ ~ ~
JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough	
JUDGE BRETT Deputy Overton	Reporter Dorrough Reporter Caslavka
JUDGE Deputy	Reporter
COUNSEL FOR: Plaintiff ( The	
Transfer de la constant de la consta	argan
Defendant	suntan.
MINUTES: Deft will not be be	ny Para T
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by trial date of 9-17-90. Kly	It condecates They may
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LIST WITNESSES ON BACK:	-

Approved:

United Sta	ites District (	Lourt FILED
	_ DISTRICT OF KIDSAS	
UNITED STATES OF AMERICA V.	Jack C. Silver, Clerk U. S. DISTRICT COURT	RALP L. Del OACH, CLERK By School Deputy ARANCE BOND
LORAN EUGENE HALL, SR.  Defendant	CASE NUMBER:	89-Q-83-01-E 90-1041M-01

Non-su	rety: I, the	ınd <del>ersigned defe</del>	ndant acknov	vledge tha	t I and my			
Surety:	.,	dersigned, jointly						
personal re	presentatives,	jointly and sever	ally, are bou	nd to pay	to the Unit	ed States	of America the su of the Court the su	m of
\$		in cash or	and there ha	<del>s been aap</del>	<del>OSITOU III TI</del>	- riogiotij	escribe other sect	I state of the last
								,
The cor	nditions of this t	oond are that the o	defendant	Loran	Eugene l	Hall, Sr	<u> </u>	
							to appear, in accord	
							ncluding appearan	
							ourt or any other ferred. The defend	
							e imposed and ol	
		nnection with su						
It is se	rood and unde	retard that this	io o continuir	as bond (i	antidina an	propositi		and and
		rstood that this uch time as the un				y proceedii	ng on appeal or re	eview)
							foregoing condition	
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motion in s	uch United Stat	es District Court	against each	debtor joir	ntly and sev	erally for th	ne amount above s	tated,
					payment s	secured as	provided by the Fo	ederal
Rules of Crir	ninai Procedure	and any other law	s of the United	o States.				
This bo	nd is signed on	April 9	1990_at	Wichi	ta. Kans	sas		
Defendant.	Xtan	In Hale	1	Address.	16/9	F. Place	121/1	
Defendant.	(h) 0.	-1/00		Address.	7.	¥_ /	1/	
Surety.	Jacks	Hall		Address.	newol	on, K	Ousar 61	2
Company of	200 8 21	$\circ$		A .1.1	131	mi	La ci	
Surety.	man D B			Address.	new	ton Ko	usas 67214	<i>f.</i>
Signed	and acknowled	ged before me on	April	9,1	990	-1	- > /	
endant's	Telephone	Number 3/	6/283-	1028	0	1. 9	R Mos	ley

## United States District Court

				FILED	
	DI	STRICT OFKAN	SAS	APR 1 0 1990	
UNITED :	STATES OF AMERICA		RAL By	H L DeLOACH, CLER	
	V.	ORDER S	SETTING CON OF RELEASE		
LORAN E	EUGENE HALL, SR.  Defendant	Case Number:	90-1041M-01		
	ERED that the release of the defendate			aile on release in this	
case.					
	fendant shall immediately advise th in address and telephone number.		el and the U.S. attorn	ey in writing of any	
(3) The de	fendant shall appear at all proceed	ings as required and sh	all surrender for serv	rice of any sentence	
impose	d as directed. The defendant shall need to be shall not b	April /7, 19	to be notified) 3'.0 c	Place P.M.	use
	Release on Personal R	ecognizance or Uns	ecured Bond		
IT IS FURTI	HER ORDERED that the defendant	be released provided th	at:		
( <b>V</b> ) (4) The def imposed	fendant promises to appear at all prod.	oceedings as required an	d to surrender for serv	vice of any sentence	
( ) (5) The de	fendant executes an unsecured bor	nd binding the defenda	nt to pay the United	States the sum of	
in the e	vent of a failure to appear as require	d or to surrender as dire		santance imposed	

#### **Additional Conditions of Release**

Upon find the safety of otl conditions mark	ling that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and her persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ed below:
	defendant is placed in the custody of: ne of person or organization)
(Add	dress)
(City	/ and State)(Tel. No.)
who agrees (a) appearance of the	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant ditions of release or disappears.
	Signed:
	Signed: Custodian or Proxy
() (a) () (b) (c) (x) (d) (x) (e) (x) (f) (x) (g) (x) (h) () (i)	defendant shall: maintain or actively seek employment. maintain or commence an educational program. abide by the following restrictions on his personal associations, place of abode, or travel: That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court.  avoid all contact with the following named persons, who are considered either alleged dictims or potential witnesses:  A Confident of the following agency Putur Persons of the following agency Putur Persons of the following agency Putur Persons of the following curfew:  The first of the following curfew:  The first of the following agency Putur Persons of the foll
	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
I	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (m):	execute a bail bond with solvent sureties in the amount of \$ 25,000. The following limited purpose(s):
	obtain no passport to  Obtain no passport.  All to surendle her passport + not to apply for a  placepart or wine while they come as familiag are  not to lessent the Continental limits ay U.S. while they  core is ponding

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be con-

secutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

City and Sta

1028

#### Directions to United States Marshal

The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, it still in sustody.

Date: Christ 9/19

Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate

Name and Title of Judicial Officer

Anited St	tates <b>Bistri</b>	et Courte 1 L E D
NORTHERN	DISTRICT OF	ок <u>ганома</u> 100 27 1989 В
UNITED STATES OF AMERICA		HICK C. Silver, Clerk
V.	1,7	APPEARANCE BOND
DAVID ROYSE LADD		
Defendant	CASE NUM	MBER:89-CR-83-05-E
Surety: We, the undersigned, jointly personal representatives, jointly and severa \$ _10,000.  \$	ally, are bound to pay to th and there has been deposite	e that we and our  the United States of America the sum of the direction of the Registry of the Court the sum of the court the
The conditions of this bond are that the d		
is to appear before this court and at such off with any and all orders and directions relating violation of a condition of defendant's relestates District Court to which the defendant to abide by any judgment entered in such any order or direction in connection with such	g to the defendant's appears ase as may be ordered or nt may be held to answer o matter by surrendering to ch judgment.	ance in this case, including appearance for notified by this court or any other United or the cause transferred. The defendant is serve any sentence imposed and obeying
It is agreed and understood that this i which shall continue until such time as the und	s a continuing bond (includersigned are exonerated.	ding any proceeding on appeal or review)
this bond, then this bond is to be void, but it ment of the amount of this bond shall be due be declared by any United States District Co breach and if the bond is forfeited and if the motion in such United States District Court together with interest and costs, and executives of Criminal Procedure and any other law.	if the defendant fails to obe forthwith. Forfeiture of this urt having cognizance of the forfeiture is not set aside cagainst each debtor jointly tion may be issued and pays of the United States.	e above entitled matter at the time of such or remitted, judgment may be entered upon and severally for the amount above stated, syment secured as provided by the Federal
This bond is signed on 11-27-89  Defendant.	at Tulsa, O	Oklahoma (2/6) 452-0425 100 HArrisburg Rd, Cautau, Ohio 447
Surety.		
Surety.		
Signed and acknowledged before me on		989
0 11 & 11		Judiciai Officer/Clerk

# United States District Court

	DISTRICT OF	OKLAHOMA
UNITED STATES OF AMERIC	~A	
V.	ORDE	R SETTING CONDITIONS OF RELEASE
DAVID ROYSE LADD	Case Number:	89-CR-83-05-E
Defendant		
IT IS ORDERED that the release	of the defendant is subject to the	following conditions:
(1) The defendant shall not comr case.	nit any offense in violation of fed	eral, state or local law while on release in this
(2) The defendant shall immedia change in address and teleph	ately advise the court, defense court, one number.	unsel and the U.S. attorney in writing of any
(3) The defendant shall appear a	none number.  at all proceedings as required and	d shall surrender for service of any sentence
(3) The defendant shall appear a	none number.  at all proceedings as required and	d shall surrender for service of any sentence
(3) The defendant shall appear a imposed as directed. The defe	none number.  at all proceedings as required and endant shall next appear at (if blace)	d shall surrender for service of any sentence  nk, to be notified)  Place
(3) The defendant shall appear a imposed as directed. The defe	none number.  at all proceedings as required and endant shall next appear at (if black on the control of the co	d shall surrender for service of any sentence  nk, to be notified)  Place
(3) The defendant shall appear a imposed as directed. The defe	none number.  at all proceedings as required and endant shall next appear at (if black on the control of the co	d shall surrender for service of any sentence nk, to be notified)  Place
(3) The defendant shall appear a imposed as directed. The defe	none number.  at all proceedings as required and endant shall next appear at (if black on the control of the co	d shall surrender for service of any sentence  nk, to be notified)  Place  Date and Time
(3) The defendant shall appear a imposed as directed. The defe	none number.  at all proceedings as required and endant shall next appear at (if black onon	d shall surrender for service of any sentence nk, to be notified)  Place  Oate and Time  Unsecured Bond
Change in address and teleph  (3) The defendant shall appear a imposed as directed. The defendant shall appear a imposed as directed as dire	none number.  at all proceedings as required and endant shall next appear at (if blands on	d shall surrender for service of any sentence nk, to be notified)  Place  Oate and Time  Unsecured Bond

#### **Additional Conditions of Release**

The defendance is a late of the second of th
The defendant is placed in the custody of:
(Name of person or organization)(Address)
(City and State)
(a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant of conditions of release or disappears.
Signed:
Signed:Custodian or Proxy
The defendant shall:  (a) maintain or actively seek employment.  (b) maintain or commence an educational program.  (c) abide by the following restrictions on his personal associations, place of abode, or travel:  Travel is restricted to the Northern District of Oklahoma and the Northern District of Ohio
(d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
(e) report on a regular basis to the following agency: As directed by the U.S. Probation Office
(f) comply with the following curfew:
(g) refrain from possessing a firearm, destructive device, or other dangerous weapon.
(h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other con-
trolled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.  (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows:
(j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
(k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
(l) execute a bail bond with solvent sureties in the amount of \$
(n) surrender any passport to  (o) obtain no passport  (p) Partilipati in Succenful drug Screening

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be con-

secutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for an

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

2100 Harrisburg Rd/

Address

Canton, Ohio 44721 (216)452-047

City and State

Telephone

#### Directions to United States Marshal

(X) The defendant is ORDERED released after processing.

() The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: November 27, 1989

Signature of Judicial Officer

Jeffrey S. Wolfe, U.S. Magistrate

Name and Title of Judicial Officer

### TLED

## United States District Court NOV 24 1989 de

NORTHERN District of OKLAHOMA

C. Silver, Clerk

UNITED STATES OF AMERICA V.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Michael Steven Hall

Case Number 89-CR-083-006-E

	03 ON 003 000 D
(Name of Defendant)	David Booth
,	Defendant's Attorney
THE DEFENDANT:	
₩ pleaded quilty to counties Count O	ne of a Single Count Indictment
was found guilty on count(s)plea of not guilty.	after a
Accordingly, the defendant is adjudg	ged guilty of such count(s), which involve the following offenses:  Nature of Offense  Count Number(s)
	spiracy to Manufacture, Count One session With Intent to tribute Methamphetamine
and is discharged as to such count(s)  ☐ Count(s) ☐ United States. ☐ The mandatory special assessment is	, is)(are) dismissed on the motion of the sincluded in the portion of this Judgment that imposes a fine.
which shall be due immediately.	pay to the United States a special assessment of \$50 ,
	ant shall notify the United States Attorney for this district within mailing address until all fines, restitution, costs, and special are fully paid.
Defendant's Soc. Sec. Number:	
509-58-7954	November 21, 1989
Defendant's mailing address:	Date of Imposition of Sentence
1619 East 10th Street	Signature of Judicial Officer
Newton, Kansas 67114	Signature of Judicial Officer The Honorable James O. Ellison
	United States District Judge Name & Title of Judicial Officer
Defendant's residence address:	
Same as above	Date

De	fendant: Michael Steven Hall		Judgment—Page 2 of 4
Ca	se Number: 89-CR-083-006-E	IMPRISONI	MENT
im	The defendant is hereby committed prisoned for a term ofOne_year_	to the custo and one da	dy of the United States Bureau of Prisons to be
	The Court makes the following recom	nmendations t	o the Bureau of Prisons:
	The defendant is remanded to the current to the state of	-	
	a.m.		
	☐ as notified by the Marshal.		
K	The defendant shall surrender for service	e of sentence a	at the institution designated by the Bureau of Prisons
	before 2 paraxer 12 noon on 3	January 2,	1990.
	<ul><li>□ as notified by the United States M</li><li>□ as notified by the Probation Office</li></ul>		
		RETUR	N
	I have executed this Judgment as fo	llows:	
	Defendant delivered on	to	at at at at at
-			, with a certified copy of this Judgment.
			United States Marshal

By\_

Deputy Marshal

	Judgment—Page of4
Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E	
SUPERVISED	RELEASE
Upon release from imprisonment, the defendant s	hall be on supervised release for a term of
2210 (9) / 0022	
While on supervised release, the defendant shall no shall comply with the standard conditions that have been bage). If this judgment imposes a restitution obligation he defendant pay any such restitution that remains unparelease. The defendant shall comply with the following	en adopted by this court (set forth on the following , it shall be a condition of supervised release that aid at the commencement of the term of supervised
The defendant shall pay any fines that remain unpair release.	d at the commencement of the term of supervised
N/A	

Judgment—Page 4 of 4

Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer:
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court:
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any orther dangerous weapon.

  These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

NORTHERN

### United States District Court

FILED

UNITED STATES OF AMERICA V.	OCT 24 1989	
BARBARA A. MARTENEY	Jack C. Silver, Clerk APPE. U.S. DISTRICT COURT	ARANCE BOND
Defendant	CASE NUMBER:	89-CR-83-04-E
Surety: We, the undersigned, jointly are sersonal representatives, jointly and severall 20,000, are	nd there has been deposited in the	and our d States of America the sum of Registry of the Court the sum of
XXXXXXXXX	UNSECURED	(describe other security.)
The conditions of this bond are that the defe	endantBARBARA A.	MARTENEY
iolation of a condition of defendant's release tates District Court to which the defendant of abide by any judgment entered in such many order or direction in connection with such the lit is agreed and understood that this is which shall continue until such time as the under	may be held to answer or the ca atter by surrendering to serve an judgment.  a continuing bond (including any	use transferred. The defendant is by sentence imposed and obeying
If the defendant appears as ordered or not his bond, then this bond is to be void, but if ment of the amount of this bond shall be due for edeclared by any United States District Courbreach and if the bond is forfeited and if the formation in such United States District Court agreement with interest and costs, and execution and of Criminal Procedure and any other laws of Criminal Procedure and any other laws of the states of Criminal Procedure and any other laws of the states of Criminal Procedure and any other laws of the states of Criminal Procedure and any other laws of the states	the defendant fails to obey or per orthwith. Forfeiture of this bond for t having cognizance of the above of orfeiture is not set aside or remitted painst each debtor jointly and seven on may be issued and payment se	form any of these conditions, payor any breach of its conditions may entitled matter at the time of such ed, judgment may be entered upon erally for the amount above stated,
This bond is signed on 10-24-89	at TULSA, OK	Place
Defendant.	Address. 213 E. F	rirst, Apt. B Hutchinson
Surety.	Address.	
Surety	Address.	
Signed and acknowledged before me on _	10-24-89 Date	
	Cft ,	Judeal Officer/ Grank
/////		

WHITE COPY - COURT

### United States District Court

	NORTHERN	DISTRICT OF	OKLAHOMA
t	INITED STATES OF AMERICA		
	V.	ORDER	SETTING CONDITIONS OF RELEASE
BAR	BARA ANN MARTENEY	Case Number:	89-CR-83-04-E
	Defendant		
	IS ORDERED that the release of the		
(1	The defendant shall not commit any case.	y offense in violation of feder	al, state or local law while on release in this
	change in address and telephone n	umber. proceedings as required and	shall surrender for service of any sentence
	imposed as unceed. The detendant	snan next appear at (ii biani	Place
		onDa	te and Time
	Release on Perso	onal Recognizance or Ur	nsecured Bond
IT IS	FURTHER ORDERED that the def	endant be released provided	that:
( <b>V</b> ) (4)	The defendant promises to appear at imposed.	all proceedings as required a	and to surrender for service of any sentence
( <sub>XX</sub> ) (5)	TWENTY THOUSAND DOLLA	ARS AND NO/100	dant to pay the United States the sum of  dollars (\$\frac{20,000.00}{})
	in the event of a failure to appear as	required or to surrender as dir	rected for service of any sentence imposed.

#### **Additional Conditions of Release**

	ing that release by one of the above methods will not by itself reasonably assure the appearance of the defendant are persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the delow:
(Nam	defendant is placed in the custody of: ne of person or organization)
(City who agrees (a) tagget appearance of the	and State)
	Signed:Custodian or Proxy
( ) (b) n (X)X(c) a Trav perm the - ( ) (d) a (X)X(e) n Repo ( ) (f) o	maintain or actively seek employment.  maintain or commence an educational program.  abide by the following restrictions on his personal associations, place of abode, or travel:  rel is restricted to the Northern District of Oklahoma unless  mission to travel outside the Northern District is granted from  U.S. Probation Office; to include District of Kansas  avoid all contact with the following named persons, who are considered either alleged victims or potential witness  report on a regular basis to the following agency:  ort to the U.S. Probation Office as directed  comply with the following curfew:
( ) (h) r	refrain from possessing a firearm, destructive device, or other dangerous weapon.  refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.  undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money designated property:
	post with the court the following indicia of ownership of the above-described property, or the following amount percentage of the above-described money:
( ) (m) r	execute a bail bond with solvent sureties in the amount of \$
( ) (o) ( <b>XX</b> (p)	surrender any passport toobtain no passport. successfully participate in drug monitoring as directed by the U.S. Probation Office

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be con-

secutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendar 213 E. First, Apt. B

Address

Hutchinson, KS 67501-05 699-9403

City and State

Telephone

#### Directions to United States Marshal

XX The defendant is ORDERED released after processing.

( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 10-24-89

Signature of Judicial Officer

JOHN LEO WAGNER, U.S. MAGISTRATE

Name and Title of Judicial Officer

Antted Sta	ates <b>Bistrict</b> (	Louri OCT 1 1 1989
	_ district of _ E kansas	
UNITED STATES OF AMERICA	OCT 19 1989 A	a Carle Ray
V.	Jack C. Silver, Clerk U.S. DISTRICT COURT PE	ARANCE BOND
BARBARA ANN MARTENEY		89-93-04-E
Defendant	CASE NUMBER:	89-1081M-03 '
	ant acknowledge that I and my nd severally acknowledge that we	and our
sonal representatives, jointly and severall	ry, are bound to pay to the Uniter and there has been deposited in the	d States of America the Sun C

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

	Rules of Criminal Procedure and any other laws of the United States.
	This bond is signed on Oct. 10, 1989 at Wichita, Kansas
lat.	Defendant. Address. Address. Address.
	Surety Jollin & Alall IR Address. Julchenson, Mouson 67501
	Surety. Jan & 3/all Address. 76/9 @ 101 Trenton Kous.
	Signed and acknowledged before me on Oct. (0, 1989
ef	endant's phone number 316/169-9403 Woolly
	Judicial Officer/Clerk
	511 A 111 Dec

26

WHITE COPY - COURT

GREEN - PRETRIAL SERVICES

# United States District Court FLED

	DISTRICT OFKA	NSAS	OCT 1 17989
		•••	Carla Ray
UNITED STATES OF AMERICA			U
V.	ORDER	SETTING OF RELE	CONDITIONS ASE
BARBARA ANN MARTENEY  Defendant	Case Number:	89-1081M-	03
IT IS ORDERED that the release of the defer	ndant is subject to the fo	ollowing conditions	s:
(1) The defendant shall not commit any offe case.	ense in violation of feder	ral, state or local la	aw while on release in this
(2) The defendant shall immediately advise change in address and telephone number	er., place of er	mployment (	and telephone number
(3) The defendant shall appear at all proceed			
imposed as directed. The defendant shall	l next appear at (if blank	c, to be notified)_	326 U. S. Courthouse
Wichita, Kansas on	n <u>October //</u>	1989 at te and Time	/1:30 p.m.
Release on Personal	Recognizance or Ur	secured Bond	
IT IS FURTHER ORDERED that the defendant	nt be released provided	that:	
√ ) (4) The defendant promises to appear at all p imposed.	proceedings as required a	and to surrender fo	or service of any sentence
X) (5) The defendant executes an unsecured b	~	dollars (	\$ 20 0000°CE
in the event $\partial f$ a failure to appear as requi	red or to surrender as dir	rected for service o	of any sentence imposed.

#### Additional Conditions of Release

the safety	of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the marked below:
( ) (6)	The defendant is placed in the custody of: (Name of person or organization)
	(Address) (Tel No.)
who agrees	(City and State) (Tel. No.) (Tel. No.)
appearance	of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant y conditions of release or disappears.
	Signed:
	Custodian or Proxy
	,
(X <sub>X</sub> ) (7)	The defendant shall:
1 <sub>0</sub> ( )	(a) maintain or actively seek employment.
	(b) maintain or commence an educational program.
X(X)	(c) abide by the following restrictions on his personal associations, place of abode, or travel:
	That defendant not leave Kansas during the time this case is pending without first obtaining permission
K Zage	of the court.
X(X	(d) avoid all contact with the sallowing named persons, who are considered either alleged victims or potential witnesses:
( )	(e) report on a regular basis to the following agency:
( )	(f) comply with the following curfew:
()	(g) refrain from possessing a firearm, destructive device, or other dangerous weapon.
Top	(h) refrain from use of alcohol, and any use or unlawful possession of a narcotic drug and other con-
( ()	trolled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.  (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows:
M	(i) execute a hand or an agreement to forfeit whom failing to appead as required, the following sum of manay of
y	(j) execute a bond or an agreement to torfeit upon failing to appear as required, the following sum of money of designated property: wenty thousand talker Bond, to be signed by
	Buther Toion Engen Half M. + goudlether Jack Hell.
( )	(k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( )	(1) execute a bail bond with solvent sureties in the amount of \$
	(m) return to custody each (week)day as ofo'clock after being released each (week)day as of
	o'clock for employment, schooling, or the following limited purpose(s):
( )	(n) surrender any passport to
( )	(o) obtain no passport.
( )	(p)

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be con-

secutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Signature of Defendant

Address

Address

Autobusor 6750/

City and State

7216:316/669-940.3

Telephone

#### Directions to United States Marshal

1	THE LOCAL CORPUSED AND A CONTROL OF THE CONTROL OF
ア	The defendant is ORDERED released after processing.
( )	The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the
	defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the
	appropriate judicial offiger at the time and place specified, if still in eustody.
	10/10/for
	Date: / U// // 9
	Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate

Name and Title of Judicial Officer

### United States District Court

NORTHERN	DISTRICT OF	OKLAHOMA	
UNITED STATES OF AMERI V.	ICA		
		APPEARANC	E BOND
LOREN E. HALL			
Defendant	CASE	NUMBER: 89-CR-	02 03 -
	ONOL	NOMBER. 89-CR-	03-03-E
	d, and there has been dep	dge that we and our o the United States o osited in the Registry o	f America the sum of
The conditions of this bond are that t	the defendant LOREN E.	HALL (name)	
is to appear before this court and at suc with any and all orders and directions re- violation of a condition of defendant's States District Court to which the defe to abide by any judgment entered in su any order or direction in connection with	lating to the defendant's app release as may be ordered indant may be held to answ uch matter by surrendering	earance in this case, ir or notified by this co er or the cause transf	ncluding appearance for burt or any other United erred. The defendant is
It is agreed and understood that the which shall continue until such time as the			g on appeal or review)
If the defendant appears as ordered this bond, then this bond is to be void, ment of the amount of this bond shall be be declared by any United States District breach and if the bond is forfeited and if motion in such United States District Cotogether with interest and costs, and expulses of Criminal Procedure and any other	but if the defendant fails to e due forthwith. Forfeiture of t Court having cognizance of f the forfeiture is not set asic burt against each debtor join recution may be issued and	obey or perform any or this bond for any bread the above entitled ma de or remitted, judgmently and severally for the	f these conditions, pay- ch of its conditions may tter at the time of such nt may be entered upon e amount above stated,
This bond is signed on 7720-8	98-28-07 at TI	JLSA, OK	
Defendant John & Hall T	Address.	L050 N. Georgie	St. Derby, KS NO PHONE
SOUTH THE THE STATE OF THE STAT	S. CO. Address. Address.	1910 17 T	NO PHONE  De Derby Ks.  Ulsa 7417
Signed and acknowledged before me	e on <u>7-20-89</u> 8-2	28-899m	Miller
Tikl.		Judvaral Officer / Cie	ark
Approved Judicial Officer	10g		

	STRICT OF OKLAHOMA
	U.C. DISTRICT COL
UNITED STATES OF AMERICA	
V.	AMENDED
	APPEARANCE BOND
MICHAEL STEVEN HALL	
Defendant	CASE NUMBER: 89-CR-83-06-E
	The trember.
The conditions of this bond are that the defendant is to appear before this court and at such other place with any and all orders and directions relating to the violation of a condition of defendant's release as n States District Court to which the defendant may b to abide by any judgment entered in such matter b any order or direction in connection with such judgment	bound to pay to the United States of America the sum of e has been deposited in the Registry of the Court the sum of tured (describe other security.)  MICHAEL STEVEN HALL  es as the defendant may be required to appear, in accordance defendant's appearance in this case, including appearance for may be ordered or notified by this court or any other United to e held to answer or the cause transferred. The defendant is by surrendering to serve any sentence imposed and obeying
which shall continue until such time as the undersigned	
-	
If the defendant appears as ordered or notified a this bond, then this bond is to be void, but if the definent of the amount of this bond shall be due forthwith be declared by any United States District Court having breach and if the bond is forfeited and if the forfeiture motion in such United States District Court against e together with interest and costs, and execution may Rules of Criminal Procedure and any other laws of the United States.	nd otherwise obeys and performs the foregoing conditions of fendant fails to obey or perform any of these conditions, pay- h. Forfeiture of this bond for any breach of its conditions may g cognizance of the above entitled matter at the time of such e is not set aside or remitted, judgment may be entered upon each debtor jointly and severally for the amount above stated, be issued and payment secured as provided by the Federal nited States.
If the defendant appears as ordered or notified a this bond, then this bond is to be void, but if the definent of the amount of this bond shall be due forthwith be declared by any United States District Court having breach and if the bond is forfeited and if the forfeiture motion in such United States District Court against etogether with interest and costs, and execution may Rules of Criminal Procedure and any other laws of the United States.	fendant fails to obey or perform any of these conditions, pay- h. Forfeiture of this bond for any breach of its conditions may g cognizance of the above entitled matter at the time of such e is not set aside or remitted, judgment may be entered upon each debtor jointly and severally for the amount above stated, be issued and payment secured as provided by the Federal pited States.
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If the defendant appears as ordered or notified a this bond, then this bond is to be void, but if the definent of the amount of this bond shall be due forthwith be declared by any United States District Court having breach and if the bond is forfeited and if the forfeiture motion in such United States District Court against etogether with interest and costs, and execution may Rules of Criminal Procedure and any other laws of the United States.	fendant fails to obey or perform any of these conditions, pay- h. Forfeiture of this bond for any breach of its conditions may g cognizance of the above entitled matter at the time of such e is not set aside or remitted, judgment may be entered upon each debtor jointly and severally for the amount above stated, be issued and payment secured as provided by the Federal pited States.
If the defendant appears as ordered or notified a this bond, then this bond is to be void, but if the definent of the amount of this bond shall be due forthwith be declared by any United States District Court having breach and if the bond is forfeited and if the forfeiture motion in such United States District Court against etogether with interest and costs, and execution may Rules of Criminal Procedure and any other laws of the United States.	fendant fails to obey or perform any of these conditions, pay- th. Forfeiture of this bond for any breach of its conditions may g cognizance of the above entitled matter at the time of such e is not set aside or remitted, judgment may be entered upon each debtor jointly and severally for the amount above stated, be issued and payment secured as provided by the Federal nited States.  at TULSA, OK  Address. 327 E. 1st St., Hutchinson, KS 67501 316-669-9403  Address.

Date

POWER AMOUNT \$15,000

#### Indian.

### **Lumbermens Mutual Insurance**

mpany BB15 125351

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, finess or wage law claims, on behalf of below named defendant

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

, and the same of
FIFTEEN THOUSAND (\$15,000 00) DOLLARS
and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert
in this Power-Of-Attorney the name of the person on whose behalf this bond was given.
IN WITNESS WHEREOF, INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer,
proper for the purpose and its corporate seal to be hereunto affixed this
Bond Amount \$ 5,000 Appearance Date
Defendant: LOT CON TO HOUSE SHOULD SH
Case # 89-CK-83-03E
Court tod , city Tuber st. Il State & State & Harrison
Offense CONS. To MAT. MAENTA.  President USI-9D
Executing Agent Landra Outloon

# United States Bistrict Court

DISTRICT OF	OKLAHOMA
	AMENDED
ORDER	SETTING CONDITIONS
	OF RELEASE
Case Number:	89-CR-83-06-E
_	89-CR-83-06-E
formdomt is subject to the fai	Hamilan and the
tendant is subject to the fo.	llowing conditions:
ffense in violation of federa	al, state or local law while on release in this
and the U.S. attorney in w	riting prior to any change in address.
oceedings as required and	shall surrender for service of any sentence
hall next appear at (if blank	t, to be notified)
	Place
_ on	te and Time
	The third
al Recognizance or Ur	secured Rond
im recognizance of O	iscenten bond
ndant be released provided	that:
all proceedings as required a	and to surrender for service of any sentence
nd dellars + N	dant to pay the United States the sum of dollars (\$ 95,000 ) rected for service of any sentence imposed.
	Case Number:  fendant is subject to the fold ffense in violation of federal and the U.S. attorney in who ceedings as required and hall next appear at (if blank on

#### **Additional Conditions of Release**

Upon find the safety of other conditions markets	inding that release by one of the above methods will not by itself reasonab other persons and the community, it is FURTHER ORDERED that that arked below:	ly assure the appearance of the defendant and e release of the defendant is subject to the
(Nan	The defendant is placed in the custody of:  Name of person or organization)	
(City	Address)	(Tel No.)
who agrees (a) appearance of th	(a) to supervise the defendant in accordance with all conditions of relative fithe defendant at all scheduled court proceedings, and (c) to notify the conditions of release or disappears.	ease, (b) to use every effort to assure the
	Signed:	
		Custodian or Proxy
( ) (a) 1	The defendant shall:  a) maintain or actively seek employment.  b) maintain or commence an educational program.	
Defe: Trav	c) abide by the following restrictions on his personal associations, place fendant to reside with mother at: 327 E. 1 avel is restricted to the Northern & Weste e Dist of Kansas unless permission to traved) avoid all contact with the following named persons, who are considered	st Hutchinson, KS 67501
Repo	e) report on a regular basis to the following agency: port to the U.S. Probation Office as directly comply with the following curfew:	ted
<b>(X)</b> (h):	<ul> <li>g) refrain from possessing a firearm, destructive device, or other dange</li> <li>h) refrain from excessive use of alcohol, and any use or possession of a defined in 21 U.S.C. §802 unless prescribed by a licensed medical pradium undergo medical or psychiatric treatment and/or remain in an institution.</li> </ul>	narcotic drug and other controlled substances ctitioner.
	j) execute a bond or an agreement to forfeit upon failing to appear a designated property:	
( ) (k) <sub>1</sub>	k) post with the court the following indicia of ownership of the above-depercentage of the above-described money:	
( ) (m)	execute a bail bond with solvent sureties in the amount of \$	g released each (week)day as of
( ) (o) X(X) (p)	n) surrender any passport to (o) obtain no passport. (p) successfully participate in drug monito U.S. Probation Office	ring as directed by the

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Michael Half Signature of Defendant

327 E. 1st St.

Address

Hutchinson, KS 67501

316-669-9403

City and State

Telephone

#### Directions to United States Marshal

The defendant is ORDERED released after processing.

) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: \_\_\_\_8-17-89

Judicial Officer

CLERK
TATES DISTRICT COURT

M 204, 401 N. MARKET ST.

A. KANSAS 67202-2096

OFFICIAL BUSINESS NALTY FOR PRIVATE USE \$300 NOV 23 1990
ACK C. SILVER, CLERK





POSTAGE AND FEES PAID UNITED STATES COURTS USC 428

ACK Clerk's Office
U.S. District Court
411 U.S. Courthouse
333 West 4th Street
Tulsa, OK 74103



CJ	AND Mat. 1/88) APPOINTMENT						COUNS	EL	
1	TURISDICTION 3 APPEALS MAG. 2 DIST. 4 OTHER	2.	MAG. DOCK	ET NO.		CR -d3-E	VOUCHE	R NO.	54895
4.	APPEALS DOCKET NO. 5. FOR (DIST		LOC. CODE			RGE/OFFENSE (L	J.S. or other ode citation	r	7A. CASE CODE
8.	IN THE CASE OF	AHOFIA	OKNIU	9. PER	RSON REPRE	SENTED (FULL N	AME)		9A. NO.
		vid Ladd			David				1 REPRES.
	2 DEFENDANT-JUVENILE 4 .	APPELL'ANT 5 D	OTHER	11.PR		(Describe briefly)  Proceedings			
12.	PAYMENT CATEGORY  A FELONY  B MISDEMEANOR D APPEA	OFFENSE E	OTHER			* Toceau Ings			
13.	COURT ORDER O Appointing Counsel F Subs.	for FD P Subs.	for Panel Att	٧.		•			
	C Co-Counsel R Subs. for Reta			Appt. D	ate	Name of prior pa	nel attorney Vouche		_
	Because the above-named "person repres otherwise satisfied this court that he or s	ented" has testified u				F ATTORNEY/PA			
1	counsel and (2) does not wish to waive or justice so require, the attorney whose national statement whose national statement with the countries of the countrie	ounsel, and because the	he interests of			ADDRESS			
	represent this person in this case.	ine appears in item 14	is appointed	, ;	-1	. Dowdell id-Continer	in Manual	_	•
	1 Suble	( ) S.V.Ca	Jerlia	le		. Oklahoma		Ľ.	
1	Sig of Presiding Judicial Office	er or By Order of Co	rt (Clerk/De	puty)	10.00	, ortzerionic	,4104		
١.	* November 28, 1989			-	15. TELEPH	ONE NO	T16 500	C. SEC. N	10
5	Date of Order	, "Nunc Pro T	unc Date	-	918/58:			-60-37	
	- Constitution of the Cons	CLAIM F	OR SERVI	CES OF	REXPENSE		1 442	-00-3	710
	SERVICE:		HOU			DATES	·	Multir	Dly rate per hour
17.	a. Arraignment and/or Plea		1.0	)	3/2/9	00		times	total hours to
	b. Bail and Detention Hearings								ensation.
	c. Motions Hearings			*	ļ <u> </u>			Enter	total below.
R⊥	d. Trial		-		- /	10.0		4	
COD	e. Sentence Hearings  f. Revocation Hearings		1.0	}	5/15/90			4	
Z	g. Appeals Court	•					_	170	TOTAL IN
	h. Other (Specify on additional sheets)							- 1/7.c	OURT COMP.
	(Rate per hour = \$60,00 ) TOTAL HOURS =		2.0	)				\$ 12	20.00
18.	a. Interviews and conferences		24.8	}	11/28/8	11/28/89 - 5/15/90		Multip	oly rate per hour total hours.
URT	b. Obtaining and reviewing records		5.7	7	81 89			Enter	total "out of compensation
8	c. Legal research and brief writing		11.3	}	11			below.	
9	d. Travel time (Specify on additional sheets)     e. Investigative and other work (Specify on additional sheets)		33.0		17	. * 11		- C	OTAL OUT OF
OUT	(Rate per hour = \$40.00	<del></del>	11103		н	11		-	OMPENSATION
19.	TRAVEL, LODGING, MEALS ETC.	AMOUNT	53.7		EXPENSES		MOUNT	1	148.00 OTAL TRAVEL
			Photoco	pies			.10		XP.
	14ga-	, 8	Toll*Ca	-	-		. 34	\$	1
ES	•								TOTAL OTHER
NSE									
XPENS		7	-					\$ 20 GB	68.44
J G									AIMED
	1							\$ 2,	336.44
	CERTIFICATION OF ATTORNEY/PAY		1	1/28/	99	то	5/15/90	0	
F	Final Payment 1 Interim Payment compensation and/or reimbursement for	t No	viously been	applied f	for? Tyes	₩ NO			`
If y	ies, were you paid? 🔲 YES 🔲 NO If ye	s, by whom were you	paid?		How much?	Has t	he person re	epresente	d paid any
lf y	ney to you, or to your knowledge to anyo	one else, in compection	n with the ma	tter for	which you we	re appointed to pro	vide represe	ntation?	LI YES X NO
l sv	vear or affirm the truth of correctness of tope statements		/	,	) once	ett.		15/	51/90
850		SIGNATURE C	7			5 071120		DATE	
ځ۵	\$ 120 \$ 23.00T	OFCOURT COMP.	24. TRAVE	LEXPE	NSL 3	5. OTHER EXPEN	ses	26. TO	TAL AMT.
NE E	27. SIGNATORE OF PRESIDING JUD	, , ,				ATE /		27A. 5	336,44 DGE/NAME
PROVED	James Cl	luni				6/11/90	)		DDE
AP	28. SIGNATURE OF CHIEF JUDGE, C	T. OF APPEALS (OF	DELEGATE	E)		ATE		29. TO	TAL AMT.
								s APP	PROVED

X

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 18 1991 dt

UNITED STATES OF AMERICA,	U.S. DISTRICT COUR	í
Plaintiff,	)	7
VS.	Criminal No. 89-CR-83-001-E	
LORAN EUGENE HALL, SR.,	) ) ) ) OPA #1256	
Defendant.	) OBA #1256 ) OBA # 13102	

### OBJECTION TO PRESENTENCE REPORT AND MEMORANDUM BRIEF

Pursuant Local Rule 33.1, Defendant Loran Eugene Hall, Sr. makes his specific objection to the presentence report.

Paragraph 5, page 4, states, inter alia, That case reports indicate "precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with the street value of \$280,000."

Based on the preceding, defendant, Loran Eugene Hall, Sr.'s, total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5,8 through 16, and 23, of the defendant's Presentence Investigation Report..

The determination of 28 pounds is based upon conjecture, speculation, and estimation. Loran Eugene Hall, Sr. openly acknowledges that only 7 usable ounces of methamphetamine were ever produced, and the defendant would testify to such..

Wherefore, defendant Loran Eugene Hall, Sr. does not request an evidentiary hearing for purposes of determining the exact amount of methamphetamine for which he should be liable but merely wants the usable amounts

noted in the record, and for the courts consideration for a down for a downward departure from the guidelines.

Respectfully submitted,

PAULD, BRUNTON

WILLIAM E. ERICKSON Attorney for Defendant

LORAN E. HALL SR. 1310 South Denver Avenue Tulsa, Oklahoma 74119

**OBA# 1256** 

OBA#13102

(918) 582-1993

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of April, 1991, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Mark Ogle, United States Probation officer.

> aul D. Brunton William E. Erickson

D

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 5 1991

UNITED STATES OF AMERICA, ) Plaintiff, )	U.S. DISTRICT COURT
vs.	CRIMINAL CASE NO: 89-CR-083-001-E
Loran Eugene Hall, Sr.	
Defendant, )	

#### NOTICE

Pursuant to the Order signed by the Judges of this Court, filed in Miscellaneous Number M-128, and dated October 18, 1990, you are directed to:

Appear at the U. S. Probation Office, Room 3270, 333 W.	4th Street,
U. S. Courthouse, Tulsa, Oklahoma, at 9:30 am/KMK, T	nursday ,
April 18 , 1991, to review the attached	Presentence
Investigation Report prepared on behalf of Loran Eugene	Hall, Sr.
in Criminal Case Number 89-CR-083-001-E . If an	appointment
at an earlier date would be more convenient, please	contact the
officer who conducted the investigation. If there are	objections,
be prepared to make them known at this review.	

Dated this 5 day of April , 1991.

ROD BAKER, CHIEF

U. S. PROBATION OFFICER



#### CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 1991, a true, exact, and correct copy of the above and foregoing instrument was mailed to the following:

Paul D. Brunton 1310 S. Denver Tulsa, Oklahoma 74119 (918) 582-1993

and

Jack Morgan 3600 U.S. Court House Tulsa, Oklahoma 74101 (918) 581-7463

Jeri Edgmon

### United States District Coukt I U E D

Lannen States	THE		MILL L L D
Northern DISTR	RICT OF	Oklahoma	FEB 1 1 1991 (2)
UNITED STATES OF AMERICA V.			Jack C. Silver, Clerk U.S. DISTRICT COURT
		APPEARAN	NCE BOND
Loran Eugene Hall, Sr.			
Defendant	CASE 1	NUMBER: 89	-CR-83-E
Non-surety: I, the undersigned defendant ackno Surety: We, the undersigned, jointly and several personal representatives, jointly and severally, are bound of the several personal representatives.	ly acknowled	lge that we and ou	s of America the sum of
\$ in cash or surety	Υ		(describe other security.)
The conditions of this bond are that the defendant	Loran E	ugene Hall,	Sr.
is to appear before this court and at such other places as with any and all orders and directions relating to the deferiolation of a condition of defendant's release as may States District Court to which the defendant may be not abide by any judgment entered in such matter by such order or direction in connection with such judgment	endant's appe be ordered eld to answe urrendering t	arance in this cas or notified by this or or the cause tra	e, including appearance for s court or any other United insferred. The defendant is
It is agreed and understood that this is a continui which shall continue until such time as the undersigned are		luding any procee	eding on appeal or review)
If the defendant appears as ordered or notified and of this bond, then this bond is to be void, but if the defendance of the amount of this bond shall be due forthwith. Five declared by any United States District Court having conference and if the bond is forfeited and if the forfeiture is motion in such United States District Court against each together with interest and costs, and execution may be Rules of Criminal Procedure and any other laws of the United	dant fails to of the forfeiture of the formal fails of the formal	bey or perform an his bond for any b the above entitled e or remitted, judg ly and severally fo	reach of its conditions, pay- matter at the time of such ment may be entered upon r the amount above stated,
This bond is signed on 2-11-91 at	Tul	sa,Oklahoma	
Defendant Joseph Call Dr.	Address.	1619 21	0 Newton X3
Surety. INBIANA LUMBERIA IN INS. CO.	Address		
Surety. Chenhall	Address. /	1422 So h	Denver Inla, Ok
Signed and acknowledged before me on 2-11-9			74119
IVOLOR OF	Date	0	00.
Charles 1		Joan	11 layer

#### POWER OF ATTORNEY

#### вв 396363 Indiana Lumbermens Mutual Insurance Company

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, finess or wage law claims, on behalf of below named defendant.

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

FIVE THOUSAND (\$5,000.00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records	. The said Attorney-In-Fact is hereby authorized to insert
in this Power-Of-Attorney the name of the person on whose behalf this bond was given.	

IN WITNESS WHEREOF, INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer,

proper for the purpose and its corporate seal to be hereunto affixed this	day of <del></del>	el-	, 19 🏹	
Bond Amount \$ 5000 /02 Appearance Date 4-21-91				
Bond Amount \$ 2000 / Appearance Date 1				
Defendant: Boran E. Hall Sc,	BAINA!	INDIANA LUMBERMEN	S MUTUAL INSUR	ANCE COMPAN
Case # 89-CR-83-E	Scall * * *	$\sim$	1 .	
court Federal City Julsa St. Ok	SEAL )	Q. 2.	Haru	son
Offense Mrf. Melasnahimines	***		President	USi-9B
Executing agent Madene Cheaterl	Advantage 14		ribaldon	

## United States District Court

	DISTRICT OF	Oklahoma
INVESTOR OF LOND		
UNITED STATES OF AMERICA		AMENDED
V.	ORDER	SETTING CONDITIONS
		OF RELEASE
B W. 11	Case Number:	89-CR-83-E
Defendant		
IT IS ORDERED that the release of the	defendant is subject to the fo	ollowing conditions:
(1) The defendant shall not commit an case.	y offense in violation of feder	ral, state or local law while on release in t
(2) The defendant shall immediately a change in address and telephone n	dvise the court, defense cour	nsel and the U.S. attorney in writing of a
(3) The defendant shall appear at all	proceedings as required and	shall surrender for service of any senter
imposed as directed. The defendant	t shall next appear at (if blanl	k, to be notified) <u>U.S. Courthous</u>
333 West 4th	on_April 29, 19	
	Da	te and Time
Deleger D	ID	
	onal Recognizance or Ur	
Release on Person		
	fendant be released provided	that:
IT IS FURTHER ORDERED that the def  (1) (4) The defendant promises to appear at	fendant be released provided t	that:  and to surrender for service of any sentence

# **Additional Conditions of Release**

•			defendant is placed in the custody of: me of person or organization)
		(Ad	dress)
		(Cit	y and State)(Tel. No.)
appe	arance	of th	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the he defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant additions of release or disappears.
			Signed:
			Signed:Custodian or Proxy
( x	) (7)	The	e defendant shall:
	()	(a)	maintain or actively seek employment.
			maintain or commence an educational program.
	(X)	(c)	abide by the following restrictions on his personal associations, place of abode, or travel:  Travel restricted to the Wichita area and the Northern District
			of Oklahoma.
	( )	(d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
	( )	(e)	report on a regular basis to the following agency:
	, ,		
	( )	(f)	comply with the following curfew:
	( )	(9)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
			refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other con-
			trolled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
	( )	(i)	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	( )	(i)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or
	( )	(J)	designated property:
	( )	(k)	post with the court the following indicia of ownership of the above-described property, or the following amount or
			percentage of the above-described money:
	(Y)	m	execute a bail bond with solvent sureties in the amount of \$ 5,000.00
	()	(m)	return to custody each (week)day as ofo'clock after being released each (week)day as of
	` ′	, ,	o'clock for employment, schooling, or the following limited purpose(s):
	( )	()	
			surrender any passport toobtain no passport.
		(0)	obtain no passport.

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be con-

secutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

# Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

1619 E. 10 TH, New TON

Address

KS. 316-283-1028

Telephone

#### Directions to United States Marshal

( ) The defendant is ORDERED released after processing. ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified if still in custody.

February 11, 1991 Date: \_

Signature of Judicial Officer

Effrey S. Wolfe, U.S. Magistrate Judge Name and Title of Judicial Officer

# United States District Court

	NORTHERN DIS'	TRICT OF OKLAHOMA						
U.S.A.	V.	NOTICE						
LORAN EUGENE	HALL, SR.	<b>CASE NUMBER:</b> 89-CR-83-01-E						
PE OF CASE:	□ CIVIL	<b>⊠ CRIMINAL</b>						
TAKE NOTICE Tha	it a proceeding in this case has bee	en set for the place date, and time set forth below:						
U. S. COURTH	HOUSE	ROOM NO. COURTROOM #2						
TODON OR		DATE AND TIME APRIL 29, 1991, 1:15 P.M.						
PE OF PROCEEDING SENTEN(	CE							
TAKE NOTICE that	t the proceeding in this case has be	een continued as indicated below:						
ACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME						
		JACK C. SILVER, CLERK						

Beverty McCullough

(BY) DEPUTY CLERK

To: Paul Brunton
Bruce Mills
Jack Morgan
Probation

2-11-91

DATE

#### MINUTE SHEET - CRIMINAL

	CR	.CASE NO. 89-CR-83-01-E
DATE 2/1/91	USA vs. Leran	Eugene Hall, Sr. (AGE) 61
-//		
	ARRAIGNMENT & OR CHA	ANGE OF PLEA
	Deputy D. Willer	Reporter Simpson
JUDGE COOK  JUDGE ELLISON	Deputy McCullough	Reporter Dorrough
JUDGE BRETT	Deputy Overton	Reporter Caslavka
MAG. WAGNER	Deputy J.Miller	Recorded
MAG. WOLFE	Deputy Mayes	Reporter
		Recorded
	0 (0)	
Counsel for Govern	ment <u>J. Morgan</u> ,	
Counsel for Defend	lant & Bounton 13	Eneklow BM; 105 urt Appointed; FPD
		without counsel; counsel waived
	edges receipt of Indictme	
Waives Indictment:	fury trial: 30 days pre	paration; separate representation
Waivers approved h	ov Court	•
	of charge and arraigned	
		ation; Superseding Information;
Filed; read;	reading waived	
Enter plea of	Guilty as	to Counts
Defendant withdraw	vs plea(s) of Not Guilty	to Counts
Counts	t	o be dismissed at sentence
Petition to enter facts of char	plea of guilty sworn to rge; petition (and	and executed; Defendant relates a Agreement) approved and filed
	d guilty as charged in Co	
Findings re: Plea	a Agreement; Made/Reserve	d
Objections to PSI	to be filed by	•
Rule 32 hearing se	et	
SENTENCE SET Q	rel 29, 1991 1:15 pm	PSI ordered
Defendant allowed	to stand on present bond	; Defendant remanded to USM
Def	endant(s) to file any and	all pre-trial motions
Gov	ernment to respond	
Cer	tification of Discovery D	isputes
Pre	-trial conference & heari	ng on motions at
Par	ties to file any suggeste	ed voir dire, inst. & trial brie
Jur	y trial; Non-Jury trial a	ıt
* Deft found	competent at time	. Of commission of acts of
Stof to t	)	//

CR-2-6/80

IN THE UNITED STATES DI .* NORTHERN DISTRIC	
UNITED STATES OF AMERICA, ) Plaintiff, )	Jack C. Silver, Clerk U. S. DISTRICT COURT
Loran Eugene Hall Sr.	Criminal Case  No. 89-08-83-01-E
Defendant. )	
WAIVER OF	JURY
I, the undersigned defendant,	having been fully apprised of
my rights, do hereby waive a jur	y and agree to try the above-
entitled case to the Court as pro	
Criminal Procedure.	
CONSENT OF GOVERNMENT:  De:  United States Attorney	rendant Summant
Signed and approved in open Co	ourt this // day of
	UNITED STATES DISTRICT JUDGE

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA U. S. DISTRICT COURT

UNITED STATES OF AM	ERICA,	) No. 89-CR-83-01-E
vs.	Plaintiff,	) PETITION TO ENTER PLEA OF GUILTY ) AND ) ORDER ENTERING PLEA
LOREN EUGENE HALL, SR.	Defendant.	<pre>(Federal Rules of Criminal Procedure, Rules 10 and 11)</pre>

## The defendant represents to the Court:

- (1) My full true name is: Loren Eugene Hall, Sr.

  I am \_\_\_\_\_\_ years of age. I have gone to school up to and including \_\_\_\_\_\_. I request that all proceedings against me be in my true name.
- (2) I am represented by a lawyer; his/her name is:
- (3) I received a copy of the Indictment before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
- (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. I believe that my lawyer is fully informed on all such matters.
- (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s) I put up 17,000 to purchase chemicals to there it that precisary to mounfacture must amphetamine in Tulsa is occoping the product of 1988. I shisted that in Cooking the mathangutamist. I was to Receive 500 to 1988 to product. (In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

NOTE: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$\frac{\text{up to \$1,000,000.00}}{\text{My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def. \$500,000 \$500,000 \$200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least  $\frac{5}{}$  years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the piez of "GUILTY" is the result of a piez agreement, refer to paragraph (14) of this petition.)
See paragraph 14
If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.
I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".
(14) My plea of "GUILTY" is (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.
Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:
See attached
I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".
(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

<sup>&</sup>quot;The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_\_\_, "NOT GUILTY as charged in Count(s) \_\_\_\_\_\_, "

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:
Lithium, General, Sincound, & Dicantin
(If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)  FMC Rochester, Minn For competency evaluation - Found competent
See ALSO WILLIAM L. COOPER'S REPORT dated 1-15-91.
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this
Som Eyes Aul Signa Defendan
Subscribed and Sworn to before me this day of

B-MCultough )
Deputy Clerk

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Paul D. Brunton , hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 <u>et seq.</u>, and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

(7) I further represent to the Court that the defendants

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed above named certificate	and after	en Court in full discus defendant, , 19	sion of	the con	tonta of	ndant this of
			-			

Attorney for the Defendant

#### ORDER

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

UNITED STATES DISTRICT JUDGE

CJA 20- (Int1/88) APPOINTMENT C	F AND AUTH	ORITY T	O PAY	COURT APPO	INTED	COUNSE	L e
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1 MAG. 2 DIST. 4 OTHER		•		89-CR-8	3-E		0154891
4. APPEALS DOCKET NO. 5. FOR (DISTRIC		LOC. CODE	•	7. CHARGE/OF	FENSE (U.S	s. or other	7A CASE CODE
ND OKLA	HOMA	OKNTU	a <sub>na</sub> ,	21:841(	a) (1) coc	le citation)	68
8. IN THE CASE OF	- 4		9. PERSO	N REPRESENTED	(FULL NA	ME)	9A. NO. REPRES.
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10. PERSON REPRESENTED (STATUS)  1 ☑ DEFENDANT—ADULT 3 ☐ API 2 ☐ DEFENDANT—JUVENILE 4 ☐ API	PELLÁNT 5 🗍	OTHER		Proceedi			
12. PAYMENT CATEGORY  A	FENSE E D	OTHER			95		
13. COURT ORDER  O    Appointing Counsel F ☐ Subs. for	FD P Subs. fo	or Panel Atty					
C Co-Counsel R Subs. for Retaine				Name	of prior pan	el attorney	
Because the above-named "person represent	-					Voucher	No.
otherwise satisfied this court that he or she counsel and (2) does not wish to waive court	(1) is financially un	able to emplo	У 14.	NAME OF ATTO MAILING ADDR		EE AND	
justice so require, the attorney whose name represent this person in this case.	appears in item 14	is appointed t	Re	onald C.	Bennet	-	
2 A A A A A A A A A A A A A A A A A A A	183 M. A.	K. , 4	P	.O. Box 1	4070		
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Sig. of Presiding Judicial Officer	of By Order of Cou	rt (Cierk/Dep	uty)				
▶October 24, 1989 ▶			15.	TELEPHONE NO	),	16. SOC.	SEC. NO.
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21. CERTIFICATION OF ATTORNEY/PAYEE	FOR PERIOD	107	24/89		TO 1/	26/90	
F Final Payment   Dinterim Payment N	0.				/	70/ An	
Has compensation and/or reimbursement for wo	ork in this case prev	iously been ap	oplied for?	YES NO			
If yes, were you paid? YES NO If yes, be money to you, or to your knowledge to anyone	y whom were you; else, in connection	paid? with the mate	er for whi	w much?	Has the	e person reg	presented paid any
If yes, give details on additional sheets.	10	01-	R	-01	(0 0104)		A S C
I swear or affirm the truth or correctness of the above statements	SIGNATURE O	F ATTOPNE	VIDAVEE	nell			1-30-91 ATE
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CJA Worksheet Packet Page 2

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CJA Worksheet Packet Page 4

T HOURLY WORKSHEET

Case Numbers

89-CR-83-E

Voucher Numbers

0154891

	OUT OF COURT HOURLY WORKSMEET					- Stanford
		Interviews and	Obtaining and	Legal research	Travel time	and other work
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0-31-89	T/C with client's mother == Scheduling	.2				
1-6-89	with client's husband, to reloca	2				
1-6-89	T/C with client, KE: Appl C. with Jack Mordan	.2	-			
1-22-89	T/C with	2				
1-22-89	T/C with	.2				
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#### EXHIBIT "A"

### Out of Court Dates

A. Interviews and Conferences: 10-24-89; 10-31-89; 11-6-89; 11-22-89; 11-29-89; 1-3-90; 1-5-90; and 1-26-90

#### FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT & SUITE 524, 215 DEAN A. MCGEE OKLAHOMA CITY, OKLAHOMA 73102 (408) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS 
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656
FTS 745-7656

February 1, 1991

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Marteney, Barbara Ann Case No. 89-CR-83-E CJA Voucher No. 0154891

Dear Judge Ellison:

Mr. Ronald C. Bennett, attorney at law, was appointed to represent Barbara Ann Marteney in the above referenced cause.

Mr. Bennett informed me he has completed his service in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

David Booth

DB:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Ronald C. Bennett



# Uivi ED STATES DISTRICT COURT FOR 1, a NORTHERN DISTRICT OF OKLAHOMA

JAN 22 1991 UNITED STATES OF AMERICA, JAC. C. SILVER, CLERK U.S. DISTRICT COURT Plaintiff, VS. Criminal No. 89-CR-83-01-E / LORAN EUGENE HALL, SR., OBA #1256 Defendant. WAIVER OF SPEEDY TRIAL COMES NOW on this 1991, LORAN EUGENE HALL, SR., Defendant in the above-captioned case, and hereby files this waiver of speedy trial pursuant to 18 U.S.C. § 3161 (h) (8) (A). Paul D. Brunton **OBA NO. 1256** William E. Erickson **OBA NO. 13102** Attorney for Defendant LORAN EUGENE HALL, SR. 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993

CERTIFICATE OF DELIVERY

I hereby certify that on this 22 day of \_\_\_\_\_\_\_, 1991, a true and correct copy of the above and foregoing Waiver of Speedy Trial, was delivered to the United State's Attorney's office, 3600 U.S. Courthouse, Tulsa, Oklahoma, 74103.

# FILED

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

('AN' 3 1991 ()

UNITED STATES OF AMERICA,	) U.S. DISTRICT COUR				
Plaintiff,					
vs.	Criminal No. 89-CR-83-01-E				
LORAN EUGENE HALL, SR.,	) )				
Defendant	OBA #1256				

## **ORDER**

NOW, on this day of \_\_\_\_\_, 1991, this Court having read the defendant's Application for Continuance hereby acknowledges the facts as stated and grants this continuance.

The defendant's pretrial conference/competency hearing will now be scheduled for the 11th day of Juhrany, 1991, at 1:00 f.M. The defendant's trial will hereby be scheduled for the 19th day of Juhrany, 1991, at 9:30 f.M. The Court further acknowledges that the defendant's notice in his Application for Continuance of his wavier of right to speedy trial but directs that Defendant file a formal waiver of right to speedy trial by January 22, 1991.

JUDGE AMES O. ELLISION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA



# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA	)	
Plaintiff, vs.	) ) No. 89-CR-83-E ✓	611 55
LOREN E. HALL SR.	) OBA# 1256	EILED
Defendant.	)	JAN 3 1991 CD
APPLICATION	FOR CONTINUANCE	Jack C. Silver, Clerk

COMES NOW the defendant by and through his attorney Paul D. Brunton and for this Application for Continuance states as follows:

Defendant's counsel has been in contact with the independent psychologist appointed by the Court to determine the defendant's competency to stand trial, who has informed us that his report will not be completed by the 4th of January, 1991. This delay is mostly due to the slow response by the Bureau of Prisons and Federal Medical Center (FMC) Rochester, Minnesota, in sending forth the medical records requested by the defendant. Further the defendant's counsel, Paul D. Brunton, has scheduling conflicts that have arisen and needs some additional time to resolve these conflicts and prepare this case.

A.U.S.A. Jack Morgan has no objection to this matter being continued.

Counsel would suggest that this matter continued a minimum of 30 days.

Defendant further waives his right to speedy trial.

THEREFORE counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for January 4, 1991, and January 15, 1991 respectively, until such time as the defendant's psychologist is able to complete an independent evaluation as to the defendant's competency to stand trial.

W S.

74

Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.

D. BRUNTON

OBA# 1256 OBA#13102

WILLIAM E. ERICKSON Attorney for Defendant

LORAN E. HALL SR.

1310 South Denver Avenue Tulsa, Oklahoma 74119

(918) 582-1993

# CERTIFICATE OF DELIVERY

Now on this \_\_\_\_ day of\_\_\_\_, 1991, the defendant delivered a true and correct copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103

William E. Erickson

## UNITED STATES DISTRICT COULCT

NORTHERN DISTRICT OF OKLAHOMA
CLERK'S OFFICE
UNITED STATES COURT HOUSE
TULSA, OKLAHOMA 74103

JACK C. SILVER CLERK November 26, 1990

(918) 581-7796 (FTS) 745-7796

RECEIVED

DEC 3 1990

Ralph DeLoach 204 U S Courthouse 401 North Market Street Wichita, Kansas 67202 JACK C. SILVER, CLERK U.S. DISTRICT COURT

Re: Michael Steven Hall Our #89-CR-83-06-E Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

Deputy Clerk

Documents received 11-28-90

Our file # 90-10016A-

FILE

PROB 22 DOCKET NUMBER (Tran. Court) (Rev. 2/88) 89-CR-83-06 TRANSFER OF JURISDICTION OOCKET NUMBER (Rec. Court) JOEK C. Silver NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE DISTRICT Michael Steven Hall Northern Oklahoma Criminal 1619 E. 10th NAME OF SENTENCING JUDGE Newton, Kansas 67114 The Honorable James O. Ellison DATES OF MONATIONAL FROM SUPERVISED RELEASE 10/9/90 10/8/95 OFFENSE Title 21:USC:346: 841(a)(1) Conspiracy to Manufacture, Possess With Intent to Distribute Methamphetamine (Count One) PART 1 - ORDER TRANSFERRING JURISDICTION UNITED STATES DISTRICT COURT FOR THE Northern Oklahoma DISTRICT OF IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the District of Kansas \_ upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\* United States District Judge \*This sentence may be deleted in the discretion of the transferring Court. PART 2 - ORDER ACCEPTING JURISDICTION UNITED STATES DISTRICT COURT FOR THE DISTRICT OF \_ Kansas IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

november 120

United States District Judge

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# RIL B DOKET NUMBER (Tran. Court)

# TRANSFER OF JURISDICTION

89-CR-83-06

DOCKET NUMBER (Rec. Court)

	Jack 6.	Silver, Clark	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE	DISTRICT U.S. DIST	RICI COURT	ISION
Michael Steven Hall 1619 E. 10th Newton, Kansas 67114	Northern Oklahoma Criminal NAME OF SENTENCING JUDGE  The Honorable James O. Ellison		
	DATES OF AND AXION / SUPERVISED RELEASE	FROM	ТО
DECEMO		10/9/90	10/8/95

**OFFENSE** 

Title 21:USC:846; 841(a)(1)

Conspiracy to Manufacture, Possess With Intent to Distribute Methamphetamine (Count One)

PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE Northern	DISTRICT OF	Oklahoma	

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the District of Kansas upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

\*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF \_

Kansas

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

11-20-90

### United States District Cour

NORTHERN DISTRICT OF OKLAHOMA
CLERK'S OFFICE
UNITED STATES COURT HOUSE
TULSA, OKLAHOMA 74103

JACK C. SILVER CLERK November 26, 1990

(918) 581-7796 (FTS) 745-7796

Ralph DeLoach 204 U S Courthouse 401 North Market Street Wichita, Kansas 67202

> Re: Michael Steven Hall Our #89-CR-83-06-E Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

Deputy Clerk

Documents	received	 		9
Ву			 	

U.S. DISTRICT COURT

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clerk

UNITED STATES OF AMERICA, Plaintiff, NO. 89-CR-83-E VS. LORAN E. HALL SR. Defendant.

**ORDER** day of Mounts, 1990 this matter having come before me the undersigned Judge of the U.S. District Court for the Northern District of Oklahoma on the defendant's application for an order to expedite the delivery of Defendant's medical records.

THEREFORE this Court having read the application finds that the U.S. Department of Justice should be and are hereby ordered to expedite delivery of Defendant's medical records to the defendant's counsel for use by Dr. Cooper in his psychological evaluation of the defendant, Loran E. Hall Sr.

> JUDGE OF THE L COURT FOR THE NORTHERN DISTRICT

OF OKLAHOMA

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 2 1990 019

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk
Plaintiff,	U.S. DISTRICT COURT
VS.	Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) ) OBA #1256
Defendant	) OBA #1250

### **ORDER**

NOW, on this 2 day of November 1990, this matter comes on for consideration in the above styled matter and this Court, being fully advised of all premises, finds that the defendant has not completed his independent evaluation at to his competence to stand trail, due to medical records not having been furnished by the U.S. Department of Justice. Further due to the defendant's counsel's trial schedule this Court finds that the pre-trial and trial now set for November 5, 1990 at 10:30 a.m. and November 19, 1990 at 9:30 a.m. respectively should be reset.

JUDGE JAMES O. ELLISION UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA



IN THE UNITED STATES THE NORTHERN DISTR	DISTRICT COURT FOR I L E D
UNITED STATES OF AMERICA	Jack 2 1 1997 CH
Plaintiff, ) vs.	No. 89-CR-83-E
LOREN E. HALL SR.	
Defendant. )	

# APPLICATION FOR CONTINUANCE

COMES NOW the defendant by and through his attorney Paul D.

Brunton and requests this Honorable Court to continue the trial of Loren E. Hall Sr. for purposes of completion of his independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. As of the date of this Application of these reports have not been forwarded to the defendant's counsel. An Application for a Court Order for the Bureau of Prisons to expedite delivery of these records has been filed for the Court's consideration. Thus, without these reports a proper evaluation can not be completed at this time.

Further, defendant's counsel, Paul D. Brunton, is scheduled to start a Federal Jury trial in the Eastern District of Oklahoma in Muskogee, Oklahoma the morning of November 5, 1990 at 9:30 a.m.

A. U. S. A. Jack Morgan has no objection to the continuance of this matter.

THEREFORE counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for November 5, 1990 at 10:30 a.m.

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and November 19, 1990 at 9:30 a.m. respectively, until such time as these medical records are received by the defendant's counsel and the defendant's psychologist for purposes of completion of the defendant's independent evaluation as to his competency to stand trail. Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.

AUL D. BRUNTON

OBA#13102

WILLIAM E. ERICKSON Attorney for Defendant

LORAN E. HALL SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

## CERTIFICATE OF MAILING

I hereby certify on this day of Mol., 1990, that I mailed, postage prepaid, a copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.

Paul D. Brunton

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )	
Plaintiff,	NO. 89-CR-83-E FILED
vs.	OBA NO. 1256 OCT 3 0 1990
LORAN E. HALL SR.	Jack C. Silver, Clerk U.S. DISTRICT COURT
Defendant. )	U.S. DISTRICT COURT

# APPLICATION FOR AND ORDER OF THE COURT FOR THE U.S. GOVERNMENT TO EXPEDITE DELIVERY OF THE DEFENDANT HALL'S MEDICAL RECORDS

COMES NOW the defendant by and through his counsel of record Paul D.

Brunton and William E. Erickson and requests this Court to order the the *U.S.*Department of Justice to expedite the delivery of the medical records of Loran E. Halls Sr. to the defendant's counsel.

Defendant was examined under the court's order at the Federal Medical Center, Rochester, Minnesota, during the Summer of 1990. These records have been requested as of this time and the records center in Rochester has passed the request on to the *U.S.Department of Justice*. (See Attached)

The Court on October 4, 1990 appointed Dr. William Cooper for an independent evaluation of the defendant at the request of the defendant's counsel.

These records from the *U.S.Department of Justice* are necessary for the proper evaluation of the defendant Hall by Dr. Cooper and counsel, and without them the disposition of this matter would be severely hampered and delayed. As of the time of this Application the records have not been delivered.

**THEREFORE** Defendant would request the Court issue an order to the *U. S.*Department of Justice requesting the expeditious delivery of these medical records to the defendants counsel for the use by Dr. Cooper in evaluation Loran E. Hall Sr.

PAUL D. BRUNTON

WILLIAM E. ERICKSON

OBA# 1256

OBA # 13102

Attorney for Defendant LORAN E. HALL SR.

1310 South Denver Avenue Tulsa, Oklahoma 74119

# CERTIFICATE OF DELIVERY

I certify that I hereby delivered a copy of this Application For An Order Of The Court For the U.S. Government To Expedite Delivery Of The Defendant Hall's Medical Records to A. U. S. U. Jack Morgan, U. S. Attorney's Office, 333 West 4th Street, Tulsa, Oklahoma 74103.

PAUL D. BRUNTON WILLIAM E. ERICKSON Paul D. Brunton
Attorney at Law
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993
FAX (918) 582-1991

September 25, 1990

Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903-4600

ATTENTION: Medical Records

Re: Loren E. Hall Sr. No. 05256031

To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Sincerely,

William E. Erickson For Paul D. Brunton

Attorney for Loren E. Hall

WEE:zs

Enclosure



# 00T 10 1990

## U.S. V artment of Justice

### Federal Bureau of Prisons

## Federal Medical Center

P.O. Box 4600 Rochester, MN 55903-4600

Date: October 3, 1990

To: Mr. Paul D. Brunton

Attorney at Law

1310 South Denver Ave. Tulsa, Oklahoma 74119

RE: Your Reference: Loren E. Hall Sr. No. 05256031

Our Reference: Hall, Loren Eugene Sr. Reg. No. 05256-031

The Mayo Clinic has forwarded your request for medical information on the above named individual to our office for response.

The request to furnish information concerning the above named individual has been received and the following checked item is applicable:

	. The above named former patient and all records were transferred to:
X	We are forwarding your request to the Office of General Counsel, Bureau of Prisons, 320 First St. N.W., Room 912, Washington, D.C. 20534 for handling. Please address any future questions to their office.
•	The records on this former patient have been sent to storage. We will answer your request as soon as the records have been acquired.
	We are unable to identify this individual. Please furnish additional information, such as date of birth, date of admission/and or date of discharge, alias or verified spelling of the name.

Medical information is confidential by law and may be released only upon written consent of the patient or former patient. If you will forward a signed consent form authorizing the release, we will process your request.

The information requested is enclosed. Its confidentiality must be protected.

Should you have any questions regarding your request please feel free to contact our office.

Medical Records Department

# meinorandum

DATE: October 3, 1990

REPLYTO Medical Records Department

FEDERA MEDICAL CENTER ROCHESTER, MN

SUBJECT: Request for Medical Information

RE: Hall, Loran Eugene Sr.

Reg. No. 05256-031

то: Office of General Counsel Central Office

Enclosed is a copy for release of medical information received at FMC Rochester.

As per Bureau policy, I am forwarding this request to you for handling.

If you have any questions, please contact us at FTS 787-1110, extension 472.

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FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OCT 15 1990 B

Jack C. Silver, Clerk
UNITED STATES OF AMERICA,

Plaintiff,

Vs.

No. 89-CR-83-01-E

LORAN EUGENE HALL, SR.,

Defendant.

#### ORDER

The Court, having examined the reasons set forth by the Defendant for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, heretofore set for October 15, 1990 is stricken and reset for November 19, 1990 at 9:30 a.m. The period between October 15, 1990 and November 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h)(8). Pre-trial is scheduled Movember 5, 1990 at 10:30 o'clock A.m.

ORDERED this 197 day of October, 1990.

JAMES O ELLISON

UNITED STATES DISTRICT JUDGE



## U.S. Department o Justice

#### Federal Bureau of Prisons

#### Federal Medical Center

June 11, 1990

P.O. Box 4600 Rochester, MN 55903-4600

Honorable James O. Ellison United States District Judge Northern District of Oklahoma Tulsa, Oklahoma 74103

RE: HALL, Loren E.
Reg. No.: 05256-031
Docket No.: 89-Cr-83-E

Dear Judge Ellison:

Your Order dated May 31, 1990, committed Mr. Hall to the custody of the Attorney General for examination and evaluation pursuant to Title 18, United States Code, Sections 4241(b) and 4242. The provisions of these statutes permit commitment for 45 days to complete an evaluation and submit a written report to the Court.

Mr. Hall arrived at the Federal Medical Center on June 6, 1990. The Mental Health staff at the Federal Medical Center require 45 days of contact with a person to complete the testing and examinations necessary to develop a history, diagnosis and opinion. In consideration of the time required to complete a thorough evaluation, your Order has been interpreted so that the 45 day evaluation period commenced upon Mr. Hall's arrival at the Federal Medical Center. The report you ordered will be submitted to you by July 20, 1990. If your Order has been incorrectly interpreted we respectfully request that you advise us as soon as possible, so that we may formally request an extension if necessary.

Additionally, we must have all the information available regarding Mr. Hall. Please direct pre-trial services, defense counsel and the United States Attorney's office to forward all this information to us.

If you have any questions or concerns about his evaluation, please contact me at FTS 787-1500.

Sincerely,

Peter M. Carlson, Warden

cc: Mr. Jack Morgan, Assistant U. S. Attorney Northern District of Oklahoma

FILED

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### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk

UNITED STATES OF AMERICA,	)
Plaintiff,	) ) No. 89-CR-83-E √
vs.	) NO. 89-CR-83-E ♥ )
LORAN E. HALL SR.	}
Defendant.	

#### ORDER APPOINTING A PSYCHIATRIST OR PSYCHOLOGIST FOR AN INDEPENDENT EVALUATION AND COMMITMENT TO A SUITABLE FACILITY

The Court having read the application and notes that the United States Attorney's Office has no objection to said application finds that it should be granted.

THEREFORE it is ordered that an independent psychiatrist, Dr. William Cooper, or a psychologist be appointed for the purposes of an independent evaluation as to the defendant's competency to stand trial and his commitment to a suitable facility for thirty days for purposes of such evaluation.

JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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IN	THE	UNITED	STATES	DISTRICT	COURT FOR	
					OKI AHOMA	

OCT -2 1390

UNITED STATES OF AMERICA

Plaintiff.

JACK C. SILVER, CLERK U.S. DISTRICT COURT

No. 89-CR-83-E ,/

VS.

LOREN E. HALL SR.

Defendant.

#### MOTION FOR CONTINUANCE

COMES NOW the defendant by and through his attorney Paul D. Brunton and request this honorable court to continue the trial of Loren E. Hall Sr. for purposes of independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. Mr. Hall's medical records from his military mental and physical evaluations have also been ordered from the Veterans Administration Center in St. Louis. As of the date of this Motion none of these reports have been forwarded to the defendant's counsel ( see attached). Thus a proper evaluation can not be accomplished at this time.

A. U. S. A. Jack Morgan has no objection to the continuance of this matter.

THEREFORE counsel for the defendant request this honorable court to continue the defendant's trial of October 15, 1990 until such time as some medical records are received by the defendants counsel in an independent evaluation as to his competency to stand trail can be accomplished.

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PAUL D. BRUNTON
Attorney for Defendant
LORAN E. HALL SR.
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993

#### **CERTIFICATE OF MAILING**

I hereby certify on this day of day of , 1990, that I mailed, postage prepaid, a copy of the above and foregoing Motion for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.

Paul D. Brunton

Paul D. Brunton
Attorney at Law
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993
(918) 582-1991 FAX

September 24, 1990

Dr. James W. Thrasher c/o Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903460

> Re: Loren E. Hall Sr. No. 05256-031

Dear Dr. Thrasher:

Please be advised that I represent Loren E. Hall Sr. on his Federal criminal charges pending in the District Court in the Northern District of Oklahoma in Tulsa, Oklahoma. We are requesting the Court order an independent evaluation be done as to his competence to stand trial.

I have requested his medical records from your facility but would appreciate a letter or a report from you personally as to the time period involving about three days when Mr. Hall had a reaction to a change in medication. Mr. Hall said you changed his medication and possibly there was a reaction with the new medication and his lithium. Please give us an explanation as to what transpired over this period of time so we can forward this on to our local doctor.

We would greatly appreciate you prompt response in this matter.

Sincerely,

Paul D. Brunton

Attorney for Loren E. Hall

PDB: zs

Paul D. Brunton Attorney at Law 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993 FAX (918) 582-1991

September 25, 1990

Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903-4600

ATTENTION: Medical Records

Re: Loren E. Hall Sr. No. 05256031

To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Sincerely,

William E. Erickson For Paul D. Brunton

Attorney for Loren E. Hall

WEE:zs

Enclosure

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	FILED
Plaintiff, )	No. 89-CR-83-E / 00T 1 1889 00
VS.	Jack C. Silver, Clerk U.S. DISTRICT COURT
LORAN E. HALL SR.	U.S. DISTRICT COURT
Defendant	

# APPLICATION FOR THE APPOINTMENT OF PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION TO DETERMINE COMPETENCY TO STAND TRIAL AND BRIEF IN SUPPORT

COMES NOW the defendant by and through his counsel Paul D. Brunton to request this court to appoint an independent psychiatrist or psychologist for a second evaluation to determine his competency to stand trial and to commit said defendant for up to thirty days in a suitable facility for purposes of this evaluation.

Counsel for the defendant by and through his attorney Paul D. Brunton pursuant to 18 U.S.C. § 4247b request's this court to appoint an independent psychiatrist or psychologist to conduct an independent second evaluation as to the defendant Hall's mental competency to stand trial. The defendant pursuant to 18 U.S. C. § 4247b and 4241 states that commitment to a suitable facility for up to thirty days is allowed for such a evaluation. Mr. Hall was evaluated at a federal facility in Minnesota and determined to be competent to stand trial. Counsel now request that the independent evaluation be done by Dr. William Cooper, an Oklahoma licensed psychologist, to further determine his competency to stand trial.





THEREFORE the defendant respectively request this court to appoint an independent psychiatrist or psychologist for an evaluation as to the defendants competency to stand trial and commit said defendant to suitable facility for such purpose.

PAUL D. BRUNTON
Attorney for Defendant
LORAN E. HALL SR.
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993

#### CERTIFICATE OF MAILING

Paul D. Brunton

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff.

VS.

LORAN EUGENE HALL, SR.,

Defendant.

SEP 2 6 1990 S

Jack C. Silver, Clerk

J. S. DISTRICT COURT

ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Spannotion for a psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

- 1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:
  - A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,
  - B. To assist properly in his defense.
- 2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.
- 3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.
- 4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.

5. Any periods or delay resulting from these proceedings are excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

Signed this 3/5 day of 2

1990.

JAMES Ø. ELLISON

UNITED STATES DISTRICT JUDGE

United States District Court )
Northern District of Oklahoma )

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

By U. Testerma

RCHD1 535\*08 \* PAGE 001 OF 001 \*

FEDERAL BUREAU OF PRISONS

CMC CLEARANCE AND SMARKATEET DAYA

09-10-1990 09:09:16

This order is partial REGISTER NO: 05256-031 NAME: by Adelivery Locen Hall

3d as directed on 6-5-90

REGISTER NUMBER

LAST NAME

to FCIELKENO Truit Talsa Co For further removables MCFP Karthalle MAME

UFSI, Marsholly, N/D/Jobrahoma

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BY (1) C

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0525 '-031 HALL

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06-06-1990 1142 1/2

02 REMARKS: 6/4/90, CO/DMM, DESIG RCH-109 FOR THIS 4241/42 HENT COMP CASE

him/ her to , hamed -Transfer Order, by taking custody of the within I have partially/fully executed this Writ/J&C

United States District Court ) Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

Deputy

U.S. MARHALS RETURN This order is partially/executed as directed by delivery LAREN HALL SR on 9-12-90 to USM NOOR from FCI ELRONO. for further resoval to

Marshal, N/D/Oklahoma DUSM

Œ.

#### FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA AUG 15 1990

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN E. HALL, SR.

Defendant.

Jack C. Silver, Clerk

Case No. 89-CR-83-E

**ORDER** 

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is hereby set for competency hearing and pretrial conference on September 5, 1990 at 9:30 a.m. Jury trial is set on September 17, 1990, 9:30 a.m.

JUDGE JAMES O. ELLISON

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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UNITED STATES OF AMERICA,	ACK C. SILVER, CLERK
Plaintiff,	)
vs.	No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	OBA #1256 OBA #8308
Defendant.	

### BRIEF IN SUPPORT OF UNOPPOSED MOTION FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr. has been indicted on a charge of conspiracy to violate the drug laws, has been arraigned, and is awaiting trial.

Counsel has been informed that the defendant has a long history of psychological and psychiatric problems. We are further advised that as recently as 1985, the VA Hospital in Kansas diagnosed the defendant to have various mental diseases and/or defects. After several interviews with the defendant, counsel believe the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him, or to assist properly in his defense.

In addition, find attached hereto marked <u>EXHIBIT A</u> an affidavit of R. K. Pernell, Deputy Sheriff and jailer, attesting to his opinion of the defendant's current mental status. Finally, Sheriff's deputies have advised counsel that the defendant is currently receiving lithium, dilantin, and phenobarbital.

Before further proceedings take place, counsel believe it would be appropriate to have the defendant examined pursuant to 18 U.S.C. §§ 4241 and 4242 to determine whether the defendant is mentally competent to understand the nature and consequences of the proceedings against him, or to assist properly in his defense, and to determine whether he was insane at the time of the offense.

Therefore, counsel for defendant request that such an examination be conducted and that a report be provided to the Court pursuant to 18 U.S.C. § 4247(b) and that a copy of the report be

made available to counsel for the parties. The requested examination can be performed at a federal medical center for prisoners.

The motion for psychiatric or psychological examination is not opposed by AUSA Jack Morgan, counsel for plaintiff.

Respectfully submitted,

PAUL D. BRUNTON

OBA #1256

ALLEN M. SMALLWOOD

OBA #8308

Court-Appointed Counsel for Defendant LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

(918) 582-1991 FAX

CERTIFICATE OF DELIVERY

PAUL D. BRUNTON

ALLEN M. SMALLWOOD

Form 2232 (6-84) front

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#### PEACE OFFICER'S AFFIDAVIT FOR EMERGENCY DETENTION

I, the undersigned peace officer, being first duly sworn, declare:
That I am a member of law enforcement agency with the State of Oklahoma.
That on the 30 <sup>TH</sup> day of MAY 19 90, I observed (name) HALL, LORAN E. at (location) TULSA COUNTY JAIL in TULSA County, Oklahoma, and that at 1400 hrs. o'clock, Rm.
he/she was taken into protective custody.
That the basis for taking this person into protective custody was *
ON THE 301H day OF MAY 1990 AT AppROX, 1400/18
I WITNESSED MR. HALL, LORAN EUGENE SR. CRYING
AND LOSING CONTROL. I HAVE KNOWN MR. HALL
SINCE APRIL 17, 1990 AND AT THIS TIME, I
FEEL THAT MR. HALL IS BECOMING A THREAT
TO himself AND THAT MR. HALL should be
UNDER CLOSE OBSERVATION AND PROFESSIONAL CARE
That upon such basis, I am of the opinion that this person is a person requiring treatment, to a degree that immediate emergency action is necessary, and should be held in emergency detention, as provided by The Mental Health Law of the State of Oklahoma.  Signature of Peace Officer
TULSA COUNTY SHERIFF'S DEP Identity of Law Enforcement Agency
Subscribed and sworn to before me, this 31 day of May, 19 90
My commission expires august 26, 1990 Seama Cook Notary Public
*Describe activity or incident personally observed by officer which formed the basis for the officer's opinion and action. If based on an affidavit of a third person, instead of personal observation, so state.

EXHIBIT A



### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA



OBA #1256

**OBA #8308** 

UNITED STATES OF AMERICA,	JACK C. SILVER CLERK A C. SILVER CLERK
Plaintiff,	
vs.	) No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	OBA #1256
Defendant.	OBA #8308

# UNOPPOSED MOTION FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr.'s court-appointed counsel, Paul D. Brunton and Allen M. Smallwood, move the Court pursuant to 18 U.S.C. §§ 4241 and 4242 for an order directing that a psychiatric or psychological examination or Mr. Hall be performed to determine whether he is mentally competent to stand trial and whether he was insane at the time of the offense.

In accordance with Local Rule 15(F), a brief in support of this Motion is being submitted contemporaneously with the motion. A proposed order is included for the Court's convenience.

Respectfully submitted,

PAUL D. BRUNTON

ALLEN M. SMALLWOOD

Court-Appointed Counsel for Defendant

LORAN EUGENE HALL, SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119 (918) 582-1993

(918) 582-1991 FAX

0

#### CERTIFICATE OF DELIVERY

I hereby certify that on this copy of the above and foregoing Unopposed delivered to the AUSA Jack Morgan, U.S. A Tulsa, Oklahoma 74103.	Motion for Psy	chiatric or Psvc	, 1990, a true and correct hological Examination was ng, 333 West Fourth Street,	
			2	

PAUL D. BRUNTON ALLEN M. SMALLWOOD FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER

SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT 2/ SUITE 524, 215 DEAN A. McGEE OKLAHOMA CITY, OKLAHOMA 73102 (405) 231-5725 FTS 736-5725

. .

June 1, 1990

NORTHERN AND EASTERN DISTRICTS 222 SOUTH HOUSTON, SUITE C TULSA, OKLAHOMA 74127 (918) 581-7656 FTS 745-7656

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America v. Ladd, David Case No. 89-CR-83-E CJA Voucher No. 0154895

Dear Judge Ellison:

Mr. John E. Dowdell, attorney at law, was appointed to represent David Ladd in the above referenced cause.

Mr. Dowdell informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO: jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. John E. Dowdell

RECEIVED 21 August 89

Captain Cherry,

WHO 28 1989

Dear Si. Jack C. SILVER, CLERK
U. S. DISTRICT COURT

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UNITED STATE DIST	ict Court for the
Northern District of	OKlahama FILED
UNITED STATES OF AMERICA, PHINTIFF,	AUG 23 1989  Jack C. Silver, Clerk U.S. DISTRICT COURT
Vs.	) No. 29-CR-83-06-E
Loren Eugene Hall Jr.,	) }
Defendants	) )

MOTION FOR Change of Conditions of Release

The dependent Loren Engene Hall Jr.

without Counsel, moves the court for an order

Changing his conditions of Release.

Dependent has been unable to MEET

The conditions previously set and remains in Constady

at the Tulsa County Jail

Leing Filed Simultanexisly with the Motion.

A proposed order setting This Matter

For hearing is being included por the

Courts Convenience.

(Continued)

Respectfully Submitted,

Loven Engine Hall Jr.

Client of Federal Public

Defender, Jim H. Heslet

Attorney at Law

3'5'61 S. Lewis, Suite 200

Talsa, OKlahoma 74105

(918) 747-1058

### Certificate of Service

The 25th day of August, 1989, I Caused

A True and correct copy of this brief
in support of Motion for change of

Conditions of Release To be hard

delivered to the office of Mr. Jack Norgan,

Mitted States Attorney, Counselfor Plaintiff.

form Engine April TR

Loren Engene Hall Jr.

Subscribes + swar to logon me
this 25 y luy, 1989

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Cours stuy

#### UNITED STATES DISTRICT COURT FOR THE NORTHEN DISTRICT OF OK/Ahona

UNITED STATES OF
AMERICA.

Plaintiff.

No. 89-CR-83-06-E

Loren Eugene Hall Jr.

ET.AL.,

Defondant:

# Breef in Support of MOTION FOR Change in Conditions

The dependent, Loren Eugene Hall Jr., without counsel, has moved for an order changing his Conditions of Release. Pursuant Local Rule 15 (A), This brief is being submitted in support of that motion.

by This court to be indigent and entitled to the appointment of Coursel under the Criminal Justice

ACT, 18 U.S.C. & 3006 A;

2) CONDITIONS OF Release have previously been SET by this court. ONe of the conditions Requires

That defendant post a \$25,000 se Corporate Santy Band;

(Continued)

- 3) Defendant is financially unable to post
  The previously Referenced Corporate Surety Bond
  And Remains in the custody of the United States
  Marshal Service at the Tulsa County Jail;
- 18 U.S.C. § 3142 (c) (2), The judicial officer
  has imposed a Financial condition that has
  Resulted in pretrial detention of dependent; And,
- 5) Defendant submits that pursuant 18
  U.S.C. § 3142 (c) (1) NON-FINANCIAl CONDITIONS

  CAN be imposed that will Resonably Assure

  The appearance of dependant as Required.

DANGER TO The SAFETY OF ANY OTHER PERSON OF The COMMUNITY is NOT AT issue.

Based on the preceding, The

dependant respectfully requests that

a hearing be schedualed for the

Reconsideration of Defendants' Condition

of Release.

(CONTINUED)

cours copy

Respectfully Subuitled,

Loren Eugene Hall Jr.

Loren Eugene Hall Jr.

Client of Federal Public

Defender Jim H. Hestet

Attorney AT LAW

5581 S. Lewis, Suite 200

Tulsa, OKlahoma 74105

(918) 747-1058

#### CETIFICATE OF Sarvice

There's cortify That an This

The 28th day of August, 1929, I caused

A True and correct copy of this MOTION

For Change of Conditions of Release To

be Hand delivered To the office of

Mr. Jack Morgan, Assistant United

515 of Attorney, Counsel for Phintipp

Lychn Eugene Hullian

Tother Eugene Hullian

Subscribed sown to be for me this 25th of day, 1967
My Comme Eigen & 11-18-90 me this 25th of day, 1967
My Comme Eigen & 11-18-90 Motion Reel

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,	) Weel I is YAM
Plaintiff,	) lock & Silver Clark
vs.	No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	)

#### ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Sr.'s motion for a psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

- 1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:
  - A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,
  - B. To assist properly in his defense.

Defendant.

- 2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.
- 3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.
- 4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.

1/2

5. Any periods or delay resulting from these proceedings are excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

Signed this S/S/day of May, 1990.

JAMES Ø. ELLISON
UNITED STATES DISTRICT JUDGE

W

# UNITED STATES DISTRICT COURT FOR THE FILED NORTHERN DISTRICT OF OKLAHOMA

MAY 30 1990 de

UNITED STATES OF AMERICA,  Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
vs.	
LORAN EUGENE HALL, SR.,	
Defendant.	) No. 89-CR-83-01-E

### GOVERNMENT'S RESPONSE TO THE MULTIPLE PRETRIAL MOTIONS OF THE ABOVE DEFENDANT

COMES NOW the government, and for its response to the multiple pretrial motions of the above defendant, alleges and states:

I.

#### MOTION IN LIMINE

Co-conspiratorial hearsay evidence in this case will be necessary under Rules of Evidence No. 801(d)(2)(E).

The plaintiff is well aware of, and will comply with its burden in this circuit, under <u>United States v. Andrews</u>, 585 F.2d 961 (10th Cir. 1978), and <u>United States v. Petersen</u>, 611 F. 2d 1313 (10th Cir.), <u>cert</u>. <u>denied</u>, 447 U.S. 905 (1979).

The above basic legal tenets in the tenth circuit govern the admissibility of co-conspirator statement evidence and the court must rule on admissibility after evaluating the evidentiary foundation upon which the statements are offered.

Excellent recent discussions of these principles are set forth in Tenth Circuit opinions in <u>United States v. Hernandez</u>, 829 F.2d 988 (10th Cir. 1987); <u>United States v. Martinez</u>, 825 1451 (10th Cir. 1987); and <u>United States v. McMurry</u>, 818 F.2d 24 (10th Cir. 1987).

In McMurry, the 10th Circuit stated:

Petersen does not require a trial judge to hold a preliminary hearing on the admissibility of a co-conspirator's statement because "a trial court has no obligation to determine the admissibility of possible hearsay at the pretrial stage". United States v. Monaco, 700 F.2d 577, (10th Cir.).

Hernandez and Martinez contain detailed discussions of the latest Supreme Court decision in United States v. Bourjaily, 107 S.Ct. 2775, 2779 (1987), holding that "a court, in making a preliminary factual determination under Rule 801(d)(2)(E), may examine the hearsay statements sought to be admitted", as well as the independent evidence presented.

II.

### MOTION TO COMPEL PRODUCTION OF GUIDELINE SENTENCING INFORMATION

The defendant specifically requests the court to order the government to disclose to the defendant the following information; (1) the guideline the government contends is

applicable to this case; (2) any aggravating offense characteristics the government contends are applicable to this case; (3) any aggravating adjustments the government contends are applicable to this case; and (4) the grounds, if any, that the government might argue to justify an upward departure in this case. The defendant argues that this information is necessary to ensure the voluntariness of a guilty plea and the effective assistance of With early disclosure of the relevant sentencing information the government may have, the defendant contends, a court cannot satisfy itself of the defendant's awareness of his likely exposure to punishment and counsel cannot fulfill his obligation to help the client to meaningfully assess the advantages of pleading guilty.

The purpose of Rule 11 of the Rules of Criminal Procedure is to ensure the defendant is aware of the consequences of his plea. See McCarthy v. United States, 394 U.S. 459, 464, 89 S.Ct. 1166, 1170, 22 L.Ed.2d 418 (1969). Rule 11 requires that "the district court must, before accepting the plea, inform the defendant of 'the mandatory minimum penalty provided by law, if any, and the maximum penalty provided by law.'" United States v. Fernandez, 877 F.2d 1138, 1142-43 (2d Cir. 1989). Though it might be desirable if a defendant were fully aware of his likely sentence under the Sentencing Guidelines at the time he enters a plea, there is no such requirement in Rule 11 or the Sentencing Guidelines. See Fernandez, 877 F.2d at 1143. Under the Sentencing Guidelines,

"although various factors will increase or enhance the range of a particular defendant's sentence, the maximum sentence will never exceed the maximum provided by statute" and the minimum sentence will be imposed even if a defendant falls into a lower sentencing range under the Guidelines. <u>United States v. Turner</u>, 881 F.2d 684, (9th Cir. 1989), <u>cert. denied</u>, 58 U.S.L.W. 3218 (U.S. Oct. 2, 1989) (No. 89-5451); <u>see also Sentencing Guidelines</u>, 5G1.1 Commentary. Therefore, the requirements of Rule 11 are met if a defendant is informed of the maximum and minimum sentence for the offense with which he is charged.

A defendant is not entitled to withdraw his guilty plea based on ineffective assistance of counsel because his attorney erroneously estimated his sentence. Little v. Allsbrook, 731 F.2d 238 (4th Cir. 1984). The Sentencing Guidelines do not avoid the effect of precedent on this issue. See United States v. Sweeney, 878 F.2d 68, 70 (2d Cir. 1989). Before the Guidelines, there was a minimum and maximum sentence allowable under the statute and it was within the judge's discretion to impose sentence within the allowable range. Under the Guidelines, there still exists a minimum and maximum sentence although in accordance with the Guidelines. "The Sentencing Guidelines should make it easier for defense counsel to advise a defendant regarding the probable sentencing range with greater accuracy because the various factors that will effect the computation of the offense level and criminal history category are spelled out." Turner, 881 F.2d at 687.

Therefore, defense counsel is in no greater need of information concerning the government's theories or arguments with regard to sentencing that he was before the Sentencing Guidelines. See Sweeney, 878 F.2d at 70.

III.

### MOTION TO INSPECT EVIDENCE FAVORABLE OR EXCULPATORY TO THE DEFENDANT

The government declines to speculate on what evidence may or may not be considered "favorable" to the accused. As hereinafter noted the government will be aware of its' obligation under Brady v. Maryland, ante, on an ongoing basis. United States v. Jackson, 579 F.2d 553 (10th Cir.), cert. denied, 439 U.S. 981 (1978).

IV.

### MOTION TO DISCLOSE INDUCEMENTS, PROMISES, AND PAYMENTS TO PROSPECTIVE WITNESS

Pursuant to <u>Brady v. Maryland</u>, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to all defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or his or her own motive for cooperating with the government.

#### MOTION FOR PRESENTATION OF AGENTS NOTES

The agents have previously been instructed to preserve their notes as a routine procedure in all cases. Campbell v. United States, 365 U.S. 85, 102 (1961).

VI.

# MOTION REQUIRING GOVERNMENT TO ADMIT OR DENY THE EXISTENCE OF OTHER INVESTIGATIONS AND POTENTIAL INDICTMENTS

The government declines to speculate as to what legal or factual basis entitles this motion to meritorious consideration. In the absence of such, defendant's motion is obviously an attempt to gain information, if any, about matters which are not relevant to the decision in <a href="Petite v. United States">Petite v. United States</a>, 361 U.S. 529, 80 S.Ct. 450, 4 L.Ed.2d 490 (1960) or the guidelines of the United States Attorney's Manual, Title 9, Section 2.142. See <a href="United States v. Thompson">United States v. Thompson</a>, 579 F.2d 1184 (10th Cir. 1978) and <a href="United States v. Eritz">United States v. Eritz</a>, 580 F.2d 370 (10th Cir. 1978).

VII.

### MOTION FOR SPECIAL PRODUCTION OF STATEMENTS OF INDIVIDUALS NOT TO BE CALLED AS WITNESSES

The defense counsel has been furnished complete access to the entire government file and a copying machine to reproduce anything so desired. This should suffice.

#### VIII.

### MOTION IN LIMINE REGARDING USE OF AFTER FORMER CONVICTIONS

The defendant refers to a defendant Lawrence. There is no one by that name in this case. If he is referring to defendant Thimmesch a/k/a Lasley, the government will only use such convictions when approved by the court as non-prejudicial to the detriment of a fair trial.

IX.

### MOTION TO EXCLUDE EVIDENCE OFFERED BY THE PROSECUTION PURSUANT TO F.R.E. 404(b)

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by <u>United States v. Record</u>, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

Х.

#### MOTION FOR WITNESS LIST

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

### MOTION TO FILE ADDITIONAL MOTIONS OUT OF TIME

The government objects to any unlimited right the defendant seeks to file pretrial motions at any time, unless such is specifically covered by the Federal Rules of Criminal Procedure.

United States v. Jensen, 608 F.2d 1349, 1357 (10th Cir. 1979).

XII.

#### MOTION TO PRECLUDE PROSECUTION FROM CONFERRING

The decision, as cited by defense, of <u>Perry v. Leeke</u>, 102 L.Ed2d 624 (1988), does not apply to the prosecution and only stated the accused has no right to confer with his counsel during a recess in his trial testimony. The decision cannot possibly be construed to be as far-reaching as the defense counsel contends and should therefore be denied.

XIII.

#### MOTION TO SUPPRESS

The government denies that this defendant has any standing to raise the issue of suppression through a proprietary interest which would so entitle his motion consideration.

#### XIV.

#### MOTION TO ADOPT ALL MOTIONS PREVIOUSLY FILED

The prosecution adopts all responses previously filed to all motions previously filed.

Respectfully Submitted,

TONY M. GRAHAM United States Attorney

S. MOKGAN (OCDETF) Assistant United States Attorney

3600 U. S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74103 918/581-7463

#### CERTIFICATE OF SERVICE

This is to certify that on the 30 day of May, 1990, a true and correct copy of the foregoing was mailed postage prepaid thereon, to: Paul D. Brunton, Boy 1310 S. Denver, Tulsa 74119.

w

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

# FILED

MAY 24 1990 da

UNITED	STATES	OF	AMERICA,
--------	--------	----	----------

Plaintiff.

Jack C. Silver, Clerk U.S. DISTRICT COURT

VS.

Criminal No. 89-CR-83-01-E

LORAN EUGENE HALL, SR.,

Defendant.

OBA #1256

#### WAIVER OF SPEEDY TRIAL

COMES NOW on this 23 day of \_\_\_\_\_\_\_, 1990, LORAN EUGENE HALL, SR., Defendant in the above-captioned case, and hereby files this waiver of speedy trial pursuant to 18 U.S.C. § 3161 (h) (8) (A).

Paul D. Brunton

OBA NO. 1256

Attorney for Defendant

LORAN EUGENE HALL, SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

CERTIFICATE OF DELIVERY

I hereby certify that on this day of \_\_\_\_\_\_\_, 1990, a true and correct copy of the above and foregoing Waiver of Speedy Trial, was delivered to the United State's Attorney's office, 3600 U.S. Courthouse, Tulsa, Oklahoma, 74103.

PAUL D. BRUNTON

# United States District Court

MAY 23 1990 05

NORTHERN

District of

**OKLAHOMA** 

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

٧.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

David Royse Ladd

Case Number

89-CR-083-05-E

(Name of Defendant)	John E. Dowdell  Defendant's Attorney	
THE DEFENDANT:		
pleaded guilty to count(s)of was found guilty on count(s) plea of not guilty.		after a
Accordingly, the defendant is adju	dged guilty of such count(s), which involve the following offense  Count Number	
21 USC 846, 841(a)(1)	Conspiracy to Manufacture With 1 Intent to Distribute Methamphetamine	
The defendant is sentenced as provide imposed pursuant to the Sentencing R	ed in pages 2 through3 of this Judgment. The sente	nce is

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50 which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special

☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.

assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

279-68-5742

☐ Count(s)

United States.

May 15, 1990

Date of Imposition of Sentence

Defendant's mailing address:
2100 Harrisburg Road

Canton, Ohio 44705-2132

Defendant's residence address:

The defendant has been found not guilty on count(s).

and is discharged as to such count(s).

Same

James O. Ellison, United States District Judge

(is)(are) dismissed on the motion of the

Name & Title of Judicial Officer

Signature of Judicial Officer

May 15, 1990

Date

AO 245	s (3/88)	Sheet 4 -	Probation

Judgment-	-Page	2	of	3
VUUGIII	I auc		UI	

Defendant: David Royse Ladd Case Number: 89-CR-083-05-E

#### **PROBATION**

The defendant is hereby placed on probation for a term of Five (5) Years

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

That the defendant participate in a program for the treatment of substance abuse at the discretion of the U. S. Probation Office.

Judgment—Page 3 of 3	Judament-	-Page	3	of	3	
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Defendant: David Royse Ladd Case Number: 89-CR-083-05-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
  - 15) You shall submit to urinalysis as directed by the U. S. Probation Office. These conditions are in addition to any other conditions imposed by this Judgment.
  - 16) You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

2/

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA MAY 27 1999 (\$\frac{1}{2}\$)

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk U.S. DISTRICT COURT
Plaintiff,	
VS.	) Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) ) ) )
Defendant.	) OBA #1256 )

COMBINED PRETRIAL MOTIONS AND BRIEFS IN SUPPORT ON BEHALF OF DEFENDANT LORAN EUGENE HALL, SR.

#### **MOTION IN LIMINE**

comes Now the defendant Hall, Sr. by and through undersigned counsel, and respectfully requests this Court for an order *in limine* precluding the Government, its representatives and agents from asking questions or eliciting testimony during the jury trial of this case relative to matters which are hearsay declarations of co-conspirators, be they indicted or unindicted, until the Government has established by independent evidence that there was indeed a conspiracy as alleged in the indictment and also that the defendants have knowingly and voluntarily become members of said conspiracy. *See United States v. Petersen*, 611 F.2d 1313 (10th Cir. 1979); *United States v. McMurry*, 818 F.2d 24 (10th Cir. 1987); and *United States v. Bourjaily*, 107 S. Ct. 2775 (1987).

MOTION TO COMPEL PRODUCTION OF GUIDELINE SENTENCING INFORMATION AND MEMORANDUM BRIEF IN SUPPORT

The defendant Hall, Sr. by undersigned counsel pursuant to FED. R. CRIM.

P. 8, 11, 14, and 16 and the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, hereby moves this Court to compel the production of Guideline sentencing material.

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The defendant requests that the Court order the Government to disclose prior to trial the following Guideline sentencing information:

- 1. The defense Guideline or Guidelines the Government presently represents as applicable to the charges against defendant Hall;
- 2. Any aggravating specific offense characteristics the Government presently believes should be applicable to the charges against defendant Hall;
- 3. Any Chapter Three "adjustments" regarding victim, role, obstruction, or acceptance or responsibility which the Government presently believes are applicable to the case;
- 4. Whether Government intends to take the position that the "career offender" provisions of 4B1.1 or "criminal livelihood" provisions of 4B1.3 apply to defendant Hall in this case;
- 5. Defendant Hall's prior criminal record, if any, including all judgments of conviction, sentences imposed thereon, all release dates from all committed sentences, and expiration dates of all terms of probation and parole;<sup>1</sup>
- 6. The grounds, if any, upon which the Government will argue for an upward departure from the applicable Guideline range, including, but not limited to, any argument regarding the adequacy of the criminal history category as determined in 4A1.3; and
- 7. The existence of any facts, information or other evidence that could give rise to an argument for a downward departure from the applicable Guideline range, including, but not limited to, the provisions of 4A1.3, 5H, and 5K.

Early disclosure of Guideline sentencing information is essential to secure the defendant's right to effective assistance of counsel under the Sixth Amendment. Defense counsel cannot provide effective assistance ignorant of existing and readily accessible information that materially affects assessment of the options available to a client and the likely consequences that would flow from each option. Frequently, the most critical defense advice concerns the client's option to plead guilty or stand trial. In *Brady v. United States*, 397 U.S. 742, 750 n. 6 (1970), the Supreme Court unanimously concurred

<sup>&</sup>lt;sup>1</sup>This information is either in the possession of the prosecutor or the federal agencies assisting in the investigation of this case. As such, it is produced under Rule 16. *United States v. Brian*, No. 87-3059 (9th Cir. January 18, 1989).

that "an intelligent assessment of the relative advantages of pleading guilty is frequently impossible without the assistance of an attorney". Necessarily, the value of the assistance of counsel is directly related to whether counsel possesses the means necessary to inform the defendant of the penalty likely to be imposed in the event of a guilty plea.

The Sentencing Guidelines do not create or mandate counsel's Sixth Amendment duty to apprise the defendant of the likely range of punishments for such obligation has been present for some time. In fact, where it has been executed improperly, courts have not been reluctant to castigate the lawyer. See laea v. Sunn, 800 F.2d 861, 865 (9th Cir. 1986) (attorney's gross mischaracterization of range of sentences constitutes deficient representation); United States v. Rumery, 698 F.2d 764, 766 (5th Cir. 1983) (counsel's overestimate of defendant's exposure constitutes deficient representation); United States v. Byrd, 669 F. Supp. 861, 866 (N.D. III. 1987) (counsel's inaccurate sentencing predictions held "objectively unreasonable" under Strickland test); cf. Hill v. Lockhart, 474 U.S. 52 (1985) (attorney's failure to inform client of relevant sentencing information can constitute ineffective assistance) (White, J., concurring).

The Sentencing Guidelines do change the nature of counsel's obligation. The guidelines are mandatory in nature, 18 U.S.C. §3553(b), and "bind judges and courts in the exercise of their uncontested responsibility to pass sentence in criminal cases." *Mistretta v. United States*, 109 S.Ct. 647, 664 (1989). Indeed the guidelines "have the force and effect of laws, prescribing the sentences criminal defendants are to receive." *Id.* at 676 (Scalia, J., dissenting). The new procedures of the Sentencing Reform Act and the Sentencing Guidelines change almost a century of indeterminate sentencing. The guidelines severely restrict the availability of probation and in fact require the imposition of minimum terms of imprisonment unless the court finds the existence of mitigating circumstances, "of a kind, or to a degree" not adequately considered by the Commission in determining the guidelines. A decision to depart from the applicable guideline range is subject to appellate review. No longer does knowledge of an experience with a particular judge's sentencing patterns or particular prosecution policies supply counsel with the tools necessary to advise a client intelligently on the sentencing advantages of pleading guilty. Familiarity with the Guidelines manual does not provide the crucial information counsel needs, for much of

the application procedures is guesswork, absent information in the possession of the government.

In this context, the Government's position on the offense level, applicable adjustments and criminal history category is critical to determining the pros and cons of entering a guilty plea. Counsel recognizes that such may be true regardless of whether the defendant pleads guilty or elects a trial, but it does not extinguish counsel's Sixth amendment obligation to express an informed view on the appropriate course of action.

The Government loses nothing and gains everything by producing its information and position on the applicable guideline range and appropriate departures. Without knowledge of aggravating offense specific offense characteristics, wary defense lawyers may advise their clients to go to trial simply because they fear the guidelines and are unable to give pre-trial advice on the likely range of sentences. Early disclosure of information regarding aggravating guideline factors could result in informal resolution during plea negotiations or a limited hearing to resolve the dispute, thus avoiding the need for trial.

Early production of guideline factors serves the administration of justice. Defense counsel will receive the information necessary to fulfill their advisory function, defendants will understand the consequences of pleading guilty, prosecutors will receive early plea agreements, and courts will avoid the expense and time of trials that otherwise would not occur but for the defendant's inability to gauge their likely sentences.

Without early disclosure of relevant sentencing information, counsel cannot supply the advice the Sixth amendment requires. No overpowering competing interest exists that could possibly warrant denial of pre-trial or pre-plea disclosure of guideline sentencing information.

Without Guideline sentencing information, neither the defendant nor counsel can assess the value of plea negotiations or commitments made by prosecutors during plea negotiations. For example, an offer to dismiss counts may be of no benefit if the Government failed to disclose its position that dismissed counts involved the same course of conduct or common scheme and plan as the count to which the defendant agreed to plea guilty. Dismissal of counts may be of little relevance to the amount of fine and/or restitution a defendant could be ordered to pay. Without disclosure of sentencing

information, the mutuality of advantage and relatively equal bargaining power the Supreme Court attributes to the plea process, *Bordenkircher v. Hayes*, 434 U.S. 357, 363 (1978), will disappear.

Early disclosure of Guideline sentencing information will ensure that a defendant who elects to plead guilty does so with full appreciation of the likely consequences of his plea that both due process and Rule 11(c)(2) require. See generally Brady v. United States, 397 U.S. 742, 749 n.6 (1969). The Supreme Court has consistently held that the trial court must satisfy itself the defendant understands "the permissible range of sentences" to which he or she is subject by virtue of a guilty plea. See, e.g., Boykin v. Alabama, 395 U.S. 238, 244 n.7 (1969). The complexity of the Guidelines system and numerous variables that may affect a particular sentence preclude trial courts from satisfying this obligation simply by relating to the defendant that he or she is "subject to the guidelines." As discussed supra, the Guidelines require the imposition of minimum sentences not required by the various criminal statutes. Probation without custody is available in only 21 of the 258 possible sentencing ranges established by the guidelines, yet it is statutorily available in the majority of federal crimes. See 18 U.S.C. §3559(a), as amended November 18, 1988. The Guidelines also require minimum fines (in the absence of inability to pay) based upon the offense level. Only in those instances where a court finds a mitigating circumstance "of a kind or to a degree" not adequately considered by the Sentencing Commission in determining the guidelines can the court depart below the applicable range. Congress so limited the availability of departures that minimum sentences not otherwise statutorily required are a reality.

To satisfy Rule 11 obligations trial courts must now inquire of the defendant and/or counsel whether the defendant has been apprised of the likely range of sentences applicable to the case, including the likely minimum term required by the range and the possibility the court may depart from the range.<sup>2</sup> A guilty plea "cannot be truly voluntary unless the defendant possesses an understanding of the law in relation to the facts." *McCarthy v. United States*, 394 U.S. 459, 467 (1969). Because of the

<sup>&</sup>lt;sup>2</sup> Voluntariness challenges to erroneous calculation of the sentencing range must be resolved on a case-by-case basis, taking into account the magnitude of the error, the facts underlying its making, the timeliness of its assertion and the significance of the error in the decision to plead guilty. See generally Hill v. Lockhart, 474 U.S. 52 (1985). Early production of Guideline information, the ability to resolve disputes either informally or formally before the plea and a full discussion with the defendant at the plea will significantly decrease the likelihood of such challenges.

mandatory and binding nature of the Sentencing Guidelines, due process, and Rule 11(c)(2) require the Government to disclose information concerning how the defendant's sentence will ultimately be calculated. It follows that such disclosure is necessary before the Court can satisfy itself of the defendant's awareness of the penalties and of the voluntariness of the guilty plea. See, e.g., United States v. Bethancurt, 692 F. Supp. 1427 (D.D.C. 1988).

Brady v. Maryland, 373 U.S. 83 (1963), and its progeny require the Government to disclose all favorable evidence as material either to "guilt or punishment". Id. at 87 (emphasis added) Guideline Sentencing information often will include favorable factors that mitigate the defendant's exposure to prison. These factors include, but are not limited to the following:

- A. Whether the defendant has accepted responsibility for his offense;
- B. Whether the counts of a multi-count indictment should be "grouped";
- C. Whether the defendant has provided "substantial assistance" to the authorities:
- Whether the defendant was a minor or minimal participant in the offense activity;
- E Whether the defendant acted under duress or coercion not rising to a complete defense.

All Brady material relevant to Guideline sentencing factors is requested.

For the foregoing reasons, the defendant respectfully requests that the Court compel the production of discovery, including Guideline sentencing information.<sup>3</sup>

## MOTION TO INSPECT EVIDENCE FAVORABLE TO THE DEFENDANT

<sup>&</sup>lt;sup>3</sup>The essential contents of this Motion was prepared by Hunt Charach, Assistant Federal Public Defender, Southern District of West Virginia.

COMES NOW the defendant by and through undersigned counsel, and pursuant to *Brady v. Maryland*, 83 S.Ct. 1194 (1963), moves to require the disclosure of evidence by the prosecution favorable to the accused whether said evidence is material either to guilt or punishment. See also Motion to Compel Production of Guideline Sentencing Information.

### MOTION TO DISCLOSE INDUCEMENTS, PROMISES. AND PAYMENTS TO PROSPECTIVE WITNESSES

COMES NOW the defendant Hall by and through counsel, and moves this Court to order the Government to disclose to the defendant which co-defendants, or any other person, has been permitted, received, or benefited in any way from any immunity or favor granted or to be granted by the United States, its prosecutors, agencies, or agents, and to further state and describe the substance of said immunity and favor, for example, refusal to prosecute, limited prosecution, releases on bail, release on bail without security, recommendations to courts for lesser punishment, rewards of any kind including financial, maintenance, protection, payments to wives, sweethearts, or families, or for their maintenance, or any other rewards of any nature. See Brady v. Maryland, 373 U.S. 83 (1963).

### MOTION FOR PRESERVATION OF AGENTS' NOTES

COMES NOW the defendant, and moves for an order, pursuant to the Fifth and Sixth Amendments to the United States Constitution, 18 U.S.C.S. §3500, and FED. R.CRIM. P. 16, directing the Government agents, police officers, and any Government informants involved in this case to retain all typed and handwritten notes or memoranda made in relation to this case.

In *United States v. Lane*, 574 F.2d 1019 (10th Cir. 1978), the Court held that agents should preserve notes taken contemporaneously with an interrogation and that any deviation from the notes appearing in the office report of the statement may furnish an aid to the accused. *Id.*, at 1022. In addition, *see United States v. Harris*, 543 F.2d 1247 (9th Cir. 1976), wherein the Court held that notes taken by an F.B.I. agent during an interview are discoverable and that they must be preserved. Finally, *see United States v. Bryant*, 439 F.2d 642 (D.C. Cir. 1971), wherein the Court imposed upon the Government an obligation to follow rigorous and systematic procedures to preserve all discoverable

evidence. Id., at 652.

In addition to the above requirements and cited authorities, *United States v. Bufalino*, 576 F.2d 446 (2d Cir. 1978), requires the retention of rough drafts and notes or written reports made during the course of an investigation.

#### DEFENDANTS' MOTION REQUIRING GOVERNMENT TO ADMIT OR DENY THE EXISTENCE OF OTHER INVESTIGATIONS AND POTENTIAL INDICTMENTS

The Defendant respectfully moves this Court for an order requiring the Government to admit or deny the existence of other investigations and potential indictments of him and, as grounds therefor, avers as follows:

- 1. The Department of Justice has an internal policy against dual prosecution. That policy is set forth in United States Attorney's Manual, 9-2.142:
  - . . .a federal prosecution may be had after a state prosecution of the same defendant for the same act or acts only if a recommendation demonstrating compelling interest for a federal prosecution is made to the appropriate Assistant Attorney General.

#### And at 9-2.143:

- .....If a prospective defendant has been federally prosecuted for an offense and a U.S. Attorney desires to further prosecute him for another offense arising from the same transactions, a recommendation.

  . .shall be submitted to the Assistant Attorney General for approval prior to initiating prosecution. . . .
- 2. The policy noted is derived from *Petite v. United States*, 261 U.S. 529 (1960), wherein a defendant was prosecuted by the United States in two separate judicial districts for offenses arising out of a single transaction. When the case came before the Supreme Court, the Solicitor General moved to have the second judgment vacated on the basis of the Government's policy against dual prosecution. The Court's *per curiam* opinion, which remanded with instructions that the Government be allowed to dismiss the indictment, was the first judicial recognition of the policy.
- 3. The defendant is entitled to know of the existence of any other investigation which might lead to an indictment for offenses arising from the same transactions in order that appropriate

motions to dismiss may be filed. Furthermore, the defendant is entitled to know of any communications or negotiations between prosecutors and agents in this District with others in districts where they may later be indicted in order to avoid any attempts by officials in those other districts to time indictments in such a manner as to appear not to violate the *Petite* policy.

The defendant relies upon those provisions of the United States Attorney's Manual recited above, as well as *Petite v. United States*, 361 U.S. 529 (1960), and Rules 2 and 11(d) of the Federal Rules of Criminal Procedure.

WHEREFORE, the defendant prays that this Court will enter its order requiring the Government to admit or deny the existence of other investigations and potential indictments and to afford the defendant a full hearing on this matter.

### DEFENDANT'S MOTION FOR SPECIAL PRODUCTION OF STATEMENTS OF INDIVIDUALS NOT TO BE CALLED AS WITNESSES

COMES NOW the Defendant, and pursuant to FED. R. CRIM. P. 57(d), move this Court for its order requiring the Government to produce all interviews, memoranda, and reports made from interviews with those persons whom the Government has determined not to call as a witness at trial and as grounds therefore would show:

- 1. This request does not go to those reports of interviews or statements made by prospective government witnesses which would be covered by the provisions of 18 U.S.C. §3500 and FED. R. CRIM. P. 16(a)(2).
- 2. Defendant does, however, seek such items with regard to those individuals interviewed during the course of the investigation of this case and whom the Government has determined not to call as witnesses.

The defendant's request for reports and interviews or statements made by individuals whom the Government has determined not to call as witnesses is bottomed on the principals of *Brady v. Maryland*, 373 U.S. 83 (1963). This precise issue was raised in the case of *United States v. Perkins*, 383 F. Supp. 922, 930 (N.D. Ohio 1974), in which a request was made for "interview memoranda and

reports made from interviews which those persons whom the government has determined not to call as witnesses". In responding to that request, the Court stated:

Concededly there are a variety of reasons for not calling a witness, but since the better practice is to resolve doubt as to the exculpatory nature of certain materials in favor of the defendant, and since the government no doubt has a somewhat different view of the exculpatory or mitigating nature of materials in its possession, the Court directs the government to make available to the defense those memoranda and reports of persons not to be called as witnesses, doing so not later than two weeks prior to trial.

While the request made herein is an unusual request made in pretrial discovery proceedings, the defendant submits that it is important to the preparation of their defense in this cause, and that *United States v. Perkins*, *supra.*, provides not only authority, but also a well-reasoned underpinning of that authority for the granting of this Motion.

## MOTION IN LIMINE REGARDING USE OF AFTER FORMER CONVICTIONS

Counsel for the defendant Hall, Sr. moves to restrict the use of the defendant Lawrence's prior convictions pursuant to F.R.E. 609(a). It should be noted that none of these convictions involve crimes of violence or use of firearms and therefore it is submitted that their prejudicial affect outweighs their probative effect.

It is suggested in *United States v. Burkhead*, 646 F.2d 1283 (8th Cir. 1981), by classifying as reversible error the trial court's failure to rule on the defendant's motion *in limine* regarding the defendant's prior conviction. Finally, as stated in *Federal Courtroom Evidence* 158 (Cotchett & Elkind), "The court should require the prosecution to state briefly the surrounding circumstances, date, nature and place of the conviction. The defendant should be given an opportunity to rebut evidence showing lack of prejudicial effect".

# MOTION TO EXCLUDE EVIDENCE OFFERED BY THE PROSECUTION PURSUANT TO F.R.E. 404(b)

In addition to counsel's previous motion on the limitation of 404(b) evidence, and in the

spirit of the defense bar and its neverending search for legitimate and constitutional obstacles to the Government's prosecution, it is submitted that due process prohibits the introduction of 404(b) evidence absent proof beyond a reasonable doubt. Even though the Supreme Court most recently in *Huddleston v. United States*, 108 S.Ct. 1496 (1988), obviated the necessity of the trial court's application of a standard of proof regarding admissibility, the decision was couched in terms of the Federal Rules of Evidence and advisory committee notes. Nowhere in the *Huddleston* opinion or in any previous cases read by counsel herein, has the argument been advanced that the introduction of other crimes' evidence utilizing any less standard than proof beyond a reasonable doubt, violates the defendant's Fifth Amendment rights to due process. The notion that the Government can escape proof beyond a reasonable doubt as to the substantive crime charged by allowing proof of other or similar acts' evidence with the emasculated standard of proof now approved by the Supreme Court under the guise of the Federal Rules of Evidence, flies totally in the face of any legitimate constitutional reasoning and/or logic.

In *United States v. Davis*, 45 Cr.L. 2258 at 2259, the Court held: "The Due Process Clause commands that Congress may not require that any person be incarcerated for a fixed period directly attributable to a specific fact determination unless proved beyond a reasonable doubt". *In Re Winship*, 397 U.S. 358, 364 (1970); *Mullaney v. Wilbur*, 421 U.S. 684, 704 (1975); *see also McMillan v. Pennsylvania*, 477 U.S. 79 (1986). The rationale of those cases can be equally applied to the admissibility of 404(b) evidence because by its very nature a conviction based upon the introduction of this type of evidence results precisely in a "specific fact determination" by lesser standard than proof beyond a reasonable doubt. Although the *Davis* case deals with a trial court's determination that the sentencing guidelines violate the Due Process Clause, the rationale of that opinion and the Supreme Court cases referred to therein, suggest its applicability in striking down the concept of admissibility of 404(b) evidence without the requisite proof beyond a reasonable doubt.

### MOTION FOR WITNESS LIST

COMES NOW the defendant Hall, Sr. by and through his undersigned counsel, and moves this Court for an order requiring the United States Attorney to furnish to counsel the list containing the

names and addresses of those individuals that the Government intends to call at any hearing or at the trial of this case. Counsel is not unmindful of the fact that it is a rare day that government witness lists are provided to counsel prior to trial.

This Court clearly possesses the power to order the Government to disclose its list of witnesses, particularly those witnesses to be called at trial in this case. *See United States v. Jackson*, 508 F.2d 1001, 1005-07 (7th Cir. 1975), wherein the Court upheld, on the basis of the trial court's "inherent power", dismissal of the indictment on the grounds that the Government refused to comply with the pretrial order to identify the Government's witnesses. *See also United States v. Leichtfuss*, 331 F.Supp. 723, 732 (N.D. III. 1971).

Effective confrontation in cross-examination of witnesses against a defendant is guaranteed by the Sixth Amendment to the United States Constitution. *See Pointer v. Texas*, 85 S.Ct. 1065 (1965). In addition, FED. R. CRIM. P. 2 is particularly appropriate in its provision that the Rules of Criminal Procedure should be construed "to secure simplicity in procedure, fairness in administration and the limitation of unjustifiable expense and delay".

In summary, defendant's request for disclosure of the identity and addresses of the Government's witnesses in this case is material, reasonable, and justified particularly in light of the constitutional guarantees of the Fifth and Sixth Amendments to the United States Constitution.

# MOTION TO RESERVE THE RIGHT TO FILE FURTHER MOTIONS, INCLUDING BUT NOT LIMITED TO MOTION TO SUPPRESS PURSUANT TO RULE 12(b)(1), PARAGRAPH 1 THROUGH 5

COMES NOW the defendant Hall, and pursuant to FED. R. CRIM. P. 12(b)(1), ¶¶1-5, and FED. R. CRIM. P. 12(d)(2), and requests this Court to enter an order allowing the defendant Hall to reserve the right to file any additional motions which may be deemed necessary pursuant to Request for Discovery under Rule 16, including but not limited to search and identification testimony.

# MOTION TO PRECLUDE PROSECUTOR FROM CONFERRING WITH PROSECUTION WITNESSES

COMES NOW the defendant Hall, Sr. by and through undersigned counsel and moves this Honorable Court for a protective order, directing the prosecutor and any of his agents to refrain from conferring with prosecution witnesses, during the trial of this case, and for good cause would show unto this Honorable Court, the following:

1. Recently the Supreme Court in *Perry v. Leeke*, 488 U.S. \_\_\_\_, 109 S. Ct. \_\_\_\_, 102 L.Ed.2d 624 (1988) (holding that an accused has no right to confer with his counsel during a brief recess in his testimony) noted "that cross-examination is more likely to elicit truthful responses if it goes forward without the witness an opportunity to consult with . . . his or her lawyer". *Perry v. Leeke*, supra, at p.

The reason for the rule (precluding a witness from consulting with counsel during his or her examination) is one that applies to all witnesses — not just defendants. It is a common practice for a judge to instruct a witness not to discuss his or her testimony with third parties until the trial is completed. Such nondiscussion orders are a corollary of the broader rule that witnesses may be sequestered to lessen the danger that their testimony will be influenced by hearing what other witnesses have to say. And to increase the likelihood that they will confine themselves to truthful statements based on their own recollections . . . Accordingly, it is entirely appropriate for a trial judge to decide . . . that cross-examination is more likely to elicit truthful responses if it goes forward without allowing the witness an opportunity to consult with third parties, including his or her lawyer. Perry v. Leeke, supra, at p. \_\_\_\_.

2. That it would enhance this truth-seeking function and further the purposes underlying this accused's Sixth Amendment right of confrontation to allow for cross-examination of government witnesses without the benefit of consultation with counsel for the Government. As the Supreme Court recently reiterated in *Green v. Bolk Laundry Machine Co.*, \_\_\_\_ U.S. \_\_\_\_, 45 Cr.L. 3061 (May 22, 1989):

The Sixth Amendment to the Constitution guarantees a criminal defendant certain fair trial rights not enjoyed by the prosecution. Greene v. Bolk Laundry Machine Co., supra, 45 Cr.L. at P. 3063.

3. That the purposes of Rule 615 of the Federal Rules of Evidence would be served where non-party witnesses are not allowed to consult with counsel during their testimony.

WHEREFORE, defendant Hall, Sr. prays that an order be entered directing government counsel and his witness not to consult with any parties, other witnesses, or counsel during pretrial hearings or the trial of this case, or in the alternative, not to consult during any interruptions or recesses

in their testimony in this case.

#### MOTION TO SUPPRESS

COMES NOW the defendant, Loran Eugene Hall, Sr. by and through undersigned counsel, and pursuant to Federal Rule of Criminal Proceedure 12 (b) (3), moves to suppress, *inter alia*, the following:

(1) Evidence seized pursuant to the Marion County Kansas Search warrant issued on 4/6/89 by Judge William D. Clement for the farm house and tin out building located in the north 1/2 of Sec. 16, Township 22, Range 5E, Marion County Kansas.

Counsel for the Defendant alleges that the Search Warrant was procured in violation of the Constitution of the United States as set forth in *Illinios v. Gates*, 103 S. Ct. 2317 (1983).

The Defendant would further request the affidavits used to procure the above-mentioned search warrant be produced for inspection for a determination as to whether said affidavits contain any information relevant to this proceeding.

### MOTION TO ADOPT ALL MOTIONS PREVIOUSLY FILED

Rather than set forth in this pleading the combined pretrial motions filed in opposition to the original indictment, counsel incorporates herein as though fully set out all of those motions.

Respectfully submitted,

PAUL D. BRUNTON OBA #1256

Attorney for Defendant

LORAN EUGENE HALL, SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

#### CERTIFICATE OF DELIVERY

I hereby certify that on this 2/ day of, 1990, a true and correct
copy of the above and foregoing Combined Pretrial Motions and Briefs in Support on Behalf of Defendant
Loran Eugene Hall, Sr. was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth
Street, Tulsa, Oklahoma 74103.

PAUL D. BRUNTON

NORTHERN

# United States District Court Received

8 44 AM '90

APR II

UNITED STATES OF AMERICA	TOPEKA KANSAS
V.	WARRANT FOR ARREST
LORAN EUGENE HALL, SR.	CASE NUMBER: DISTRING
To: The United States Marshal and any Authorized United States Officer	89CR 83E
YOU ARE HEREBY COMMANDED to arrest _	Name
and bring him or her forthwith to the nearest magistrate	to answer a(n)
X Indictment  Information  Complaint  Order o	f court ☐ Violation Notice ☐ Propation Violation Petition
charging him or her with (brief description of offense)	7
n violation of Title21 United States Cool	de, Section(s)_846, 841(a)(1), 853
Name of Issuing Officer	Title of Issuing Officer
Signature of Issuing Officer	JUL 0 6 1989
Bail fixed at \$	Dy Name of Judicial Officer
RET	URN
This warrant was received and executed with the arrest	of the above-named defendant at
Wichita, Kausas	
DATE RECEIVED  NAME AND TITLE OF ARRESTING OFFICER  OFFIC	D.U.S.M. SIGNATURE OF ARRESTING OFFICER

#### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUL 5 1989

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR. BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

nited States District Court iorthern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the origination file

in this Court.

Defendants.

Silver CHARGES:

Deputy

[21 U.S.C. §§846, 841(a)(1), 853]

#### INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., \$846, as follows:

To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

Jack C. Silver, Clerk U.S. DISTRICT COURT

INDICTMENT

Distribute; and to

[21 U.S.C. §§846, 841(a)(1):

Distribute, Methamphetamine;

21 U.S.C. §853: Forfeiture]

Conspiracy to Manufacture;

Possess with Intent to

COUNT ONE

)

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

#### C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA
  ANN MARTENEY, in Texas, sold methamphetamine, and delivered money
  therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.
- (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.
- (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
- (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
- (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
- (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
- (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
- (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

#### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United

States by the Court of the above defendant's following described

property upon their individual and respective convictions herein,

pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

Ву

S/Jack Morgan
Assist. U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

A

UNITED STATES D NORTHERN DIS	STRICT COURT FOR THE FILED
UNITED STATES OF AMERICA,	MAY 10 2000 1X
Plaintiff, vs.	Jack C. Silver, Clerk U.S. DISTRICT COURT
DAVID ROYSE LADD,	
Defendant	) No 90 CB 93 OF B

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 2nd day of March, 1990. His sentencing is currently scheduled for May 15, 1990 at 9:00 a.m.

This defendant, David Royse Ladd, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for

R

security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JA / A/ / /

Assistant United States Attorney 3600 U.S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74013

#### CERTIFICATE OF SERVICE

This is to certify that on the \_\_\_\_\_\_ day of May, 1990, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103.

Assistant United States Attorney

JSM:vjg

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 9 1990 019

UNITED STATES OF AMERICA,

Plaintiff,

Jack C. Silver, Clerk U.S. DISTRICT COURT

VS.

Criminal No. 89-CR-83-01-E ✓

LORAN EUGENE HALL, SR.,

Defendant.

OBA #1256

#### **ORDER**

NOW, on this **3** day of **May**, 1990, the Court upon consideration of the Defendant's application for extension of time and continuance in the above captioned matter finds that same should be granted.

IT IS THEREFORE ORDERED that the motions of the Defendant will be due by the 21 day of May, 1990 and the responses of the government due by the 39 day of May, 1990. Pre-trial hearing on motions and change of plea set for the 1st day of June, 1990 at 9:00 o'clock; jury instructions, voir dire briefs due by the 11th day of June, 1990; the jury trial is now set for the 18th day of June, 1990, at 9:30 o'clock.

Finally, the defendant is hereby ordered to file a waiver of speedy trial.

IT IS FURTHER ORDERED, that the time between May 21, 1990 and June 18, 1990, is excludable pursuant to the Speedy Trial Act.

JUDGE OF THE DISTRICT COURT

	MINUTE SHEET - SENTENCING
DATE _5-15-90	USA VS. David Raype Land (AGE)
	SENTENCING
JUDGE COOK  JUDGE ELLISON   JUDGE BRETT  JUDGE	Deputy R. Miller Reporter Simpson Deputy McCullough Reporter Dorrough Deputy Overtoh Reporter Caslavka Deputy Anath Instrumon Reporter Milling
Counsel for Plaintiff	Jack Mongas
Counsel for Defendant	lohn blowdel
147377777	Retained; Court Appointed; FPD
MINUTE: Enter as above	
Witness give totingmy (S Defendant and counsel pronounced, and no cau	cerson with counsel.  (state on back)  asked if they care to say anything before sentence is use to the contrary being shown,
Sentenced to the custo	ody of as to Counts
Imposition of sentence	suspended - Probation 5 yra as to Counts
aubject to cond	litions of probation office (must participate in
	SI/Sentence made, Transcript Ordered
	ines; within same; Departure; Upward/Downward,
Bond Exonerated.	
Defendant advised of r	right to appeal.
Defendant gives oral r	notice of appeal
Appeal bond set at	(cash or surety)
ADDITIONAL MINUTES:	U. S. Marshal.
West may travel to	from Ohio for Dubstance abuse participation
#50.00 S.A.	

CR-3:6/89

#### THE UNITED STATES DISTRICT COUNTY FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff.

VS.

LORAN EUGENE HALL, SR.,

Defendant.

Jack C. Sjlver, Clerk Criminal No. 89-CR-83-04-E. DISPRICT COURT

OBA #1256

#### APPLICATION FOR EXTENSION OF TIME TO FILE MOTIONS

COMES NOW, Paul D. Brunton as attorney of record for the above named Defendant and for his application for an order allowing an extension of time to file motions in the above numbered matter, states to the Court as follows:

- 1. That counsel would request an extension of time to file motions due to his trial schedule.
- 2. That counsel has been in contact with A.U.S.A. Jack Morgan and he does not object to an extension.

WHEREFORE, an extension to file motions in the above-styled and numbered matter is hereby requested.

Respectfully submitted,

PAUL D. BRUNTON

OBA #1256

attorney for the Defendant

LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa. Oklahoma 74119

(918) 582-1993

#### CERTIFICATE OF DELIVERY

I hereby certify that on this <u>He</u> day of ., 1990 a true and correct copy of the above and foregoing Application for Extension of Time to File Motions was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.

PAUL D. BRUNTON

		<u>NTMEN</u>	T OF AND AL	JTHORITY 1	ΓΟ ΡΑ						
1. JURISDICTIC	DIST. 4			2. MAG. DOCK	ET NO.	89-	C83-E		01	154825	
4. APPEALS DO	CKET NO.	-	TRICT/CIRCUIT)	6. LOC. CODE		7. CHAR 21:8		E (U.S. or oth code citation		7A. CASE CODE 68	
8. IN THE CASE United St	-	s Lor	en Hall		9. PEI	Loren Ha		L NAME)		9A. NO. REPRES.	
10. PERSON REP	PRESENTED (	STATUS)	APPELLANT 5	OTHER	11. PF	ROCEEDINGS (	Describe brie	fly)			
2 DEFEN	DANT-ADUL	NILE 4	APPELLANT 5	OTHER							
12. PAYMENT C						A	LL PROCE	-			
B MISDE	Y C	APPE	Y OFFENSE E AL-	OTHER				$\mathbf{F}$ I	T.	$\mathbf{E} \mathbf{D}$	
13. COURT ORD	ER									الد بد	
O 🖺 Appoin	ting Counsel	F Subs	for FD P Su	ibs. for Panel Atty	/·		NI	AD	D 9 A	1000	
c 🗆 co-cou	nsel R 🗆 St	ibs. for Ret	ained Atty.		Appt. D	)ate		Vouc	her No	1330 0	
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counsel and (2	2) does not wis	h to waive	counsel, and becau ame appears in iten	se the interests of				11.5 131	STRICT	COURT	
represent this	person in this	cașe.					Brunton uth Denv	•		COOKI	
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Sig	. of Presiding J	ludicial Off	icer or By Order of	Court (Clerk/Der	outy)	202009					
▶ April	17, 1990		•		-	15. TELEPHO	NE NO.	16. S	OC. SEC.	NO.	
	te of Order		Nunc Pr	o Tunc Date	_	918/582	-1993		45-44-		
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12	SER	VICE		HOU	RS		DATES			iply rate per hour	
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c. Motions H	etention Heari	ngs				-			_	pensation.	
d Talel							<u></u>	-	Enter	r total below.	
2	Hearings							<del></del>	-		
o f. Revocatio	n Hearings								-		
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h. Other (Sp	ecify on additi		)							COURT COMP.	
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ō			y on additional she	eets)		1				COURT	
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F Final Payme	and/or reimbu	irsement fo	r work in this case	previously been a	pplied t	for? YES	□ NO				
If yes, were you p	aid? YES	NO If y	es, by whom were	you paid?		How much?	H	las the person	represent	ed paid any	
If yes, give details			one else, in connec	ction with the ma	tter for	which you were	appointed to	provide repre	sentation	? LI YES LI NO	
I swear or affirm tabove statements	he truth or cor	rectness of		TO ATTORNE							
22. IN COUR	T COMP.	23 OH:	SIGNATUR F OF COURT COM	P. 24. TRAVE			OTHER EVE	DENIES	DATE	TAL ALAT	
		\$	. J. JJOK I COM	s s	L LAPE	.NSE   25.	OTHER EXF	FIA9E9		PROVED/CEPT.	
шш	JRE OF PRES		OICIAL OFFICER	17		DA	TE		27A. J	UDGE/MAG. ODE	
28. SIGNATU	JRE OF CHIE	F JUDGE, (	CT. OF APPEALS	(OR DELEGATE	)	DA	TE		29. TC	OTAL AMT.	

# United States District Court

	NOT LITET II DISTRICT OF OKTATIONA
	UNITED STATES OF AMERICA V. ORDER OF DETENTION PENDING TRIAL
	Loran Eugene Hall, Sr. Case Number: 89-CR-83-01-E
In ac	Defendant cordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the
detention	of the defendant pending trial in this case.
(1)	Part I — Findings of Fact  The defendant is charged with an offense described in 18 U.S.C. §3142(f)(1) and has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction/hadrexisted) 1990 is  a crime of violence as defined in 18 U.S.C. §3156(a)(4).  an offense for which the maximum sentence is life imprisonment or death.  an offense for which a maximum term of imprisonment of ten years or more is prescribed in 18 U.S.C. §3157RCT COURT.
	a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in
(2)	18 U.S.C. §3142(f)(1)(A)-(C), or comparable state or local offenses.  The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local
(3)	offense.  A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the
(4)	offense described in finding (1).
	Alternative Findings (A)
<b>X</b> (1)	
	for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. Sec. 801 et. se under 18 U.S.C. §924(c).
X (2)	
<b>п</b> "	Alternative Findings (B)
[] (1)	There is a serious risk that the defendant will not appear.
	There is a serious risk that the defendant will endanger the safety of another person or the community.
I find	Part II - Written Statement of Reasons for Detention that the credible testimony and information submitted at the hearing establishes by (clear and convincing evidence) (a preponderance of
the eviden	ce) that
(1	A PARAMETER ORGANIC CO DOTTONE LITTE DELENINATION END
ac	ts charged in the indictment; and (2) Defendant has elected not to make
+ i	y proffer or submit any other evidence which would rebut the presump-
CO	on arising per 18 U.S.C. Sec. 3142(e) that there are no conditions or mbination of conditions which would reasonably assure Defendant's
re	appearance in court.
facility se fendant sh on request	Part III - Directions Regarding Detention defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections parate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The deall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States or the purpose of an appearance in connection with a court proceeding.
Dated: _	April 17, 1990  Signature of Judicial Officer  JEFFVEL S. WOIFE, U.S. Magistrate
	Name and Title of Judicial Officer

\*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of

CRIMINAL INFORMATION SHEET USPO Johnson
17 , 1990, Before Magistrate: Wagner() Wolfe()
Case No. 89-CR-83-EV USA V. LOREN Hall Sa
Defendant's Age 60 Sex M Date of Birth 1-4-30
Defendant's Address: 1619 E. 1844
Newton, KS 3/6-283-1028 City/State Zip Code Phone #
Date of Arrest: Arrested by:
Bail Recommendation: \$ (Cash/Surety) (10%) Unseched U. S. Attorney concurs in Bail Recommendation: () yes () no APR 17 1990
Bail Made: () yes () no (Cash/Surety) (10%) (Unsecured)  Jack C. Silver, Clerk
Special Conditions: (Any additional special conditions L. P. PETRICE COUR
( ) Report as Directed ( ) Travel restriction to ND/OK & of alcohol  ( ) Medical or Psychiatric treatment as directed ( ) Successful participation in drug screening ( ) Maintain or actively seek employment  *( ) See reverse for additional conditions.
Detention Hearing Scheduled: 6 Arraignment Scheduled: 6 Preliminary Exam Scheduled: 6
Defendant Requests Public Defender: X yes no 10+
Defendant's Attorney: Description (Ct. Appt)
1359 S. Broadway 67211 316-263-8251
Address City/State/Zip Phone
Government's Attorney: VACK Mengan
MINUTE:  ( Deft appears for IA: (w/ret counsel) (ct appt) (w/out counsel)  ( Finan. Affid. rec'd, FPD appt &: () present () not present  ( ) Waiver of counsel executed for IA only  ( ) Bond set; bond & cond of rel executed  ( Arraignment held, deft pleads NG, ct accepts  ( ) Scheduling dates to be mailed to counsel  ( ) Initial Appearance continued to
The Don't is men to 1++
FPD appt'd as local lowers

### FINANCIAL AFFIDAMT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERY OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	IN UNITED STA	
L.V.	S.A	vs. Hall FOR NO OK  AT DISA OK
	Lozon	Defendant—Adult    Defendant—Adult   Defendant—Adult   Defendant—Juvenile   Defendant   Defendan
Commence of the second		Are you now employed?   Yes No  Am Self Employed S. DISTRICT COURT
	EMPLOY- MENT	Name and address of employer:  IF YES, how much do you earn per month? \$ How much did you earn per month  If married is your Spouse employed?
SSETS	OTHER	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?     Yes
	CASH	Have you any cash on hand or money in savings or checking account Yes \( \subseteq \text{No} \) IF YES, state total amount \$\frac{4000}{2000}
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Tes No VALUE ON DESCRIPTION  IF YES, GIVE VALUE AND \$ 1280
BLIGATI Debts	DEBT MON' BILL!	HLY OR HOME: Boat Laar \$4,000 \$ 301 \$  Amoco O:   \$1,300 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Harden Companses   1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$1350 \$ 500 \$  Hertzler Clin.c - Holsten K\$ \$ 1350 \$ 500 \$  Hertzler Clin.c - Holsten
		DATURE OF DEFENDANT OF PERSON REPRESENTED)

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

### FILED

IN THE UNITED STATES DISTRICT COURT FOR THEPR 1 8 1990 NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clerk UNITED STATES OF AMERICA, U. S. DISTRICT COURT Plaintiff, No. 89-CR-83-E Loren Hall. Defendant. ORDER APPOINTING COUNSEL On this 11 day of april, 1990, the abovenamed having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act 1984, IT IS HEREBY ORDERED that the: Federal Public Defender is appointed to represent the following: all further proceedings unless and until relieved by order of the court. Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following: Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court. Federal Public Defender is temporarily appointed to represent the following:\_ purposes of initial appearance only. Dated this 17th day of JEFFREY/S/WOLFE UNITED STATES MAGISTRATE

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR.

Defendant.

FILEI

APR 17 1990

Jack C. Silver, Clerk 11'S. DISTRICT COURT

### MOTION FOR DETENTION AND AUTHORITY

No. 89-CR-83-01-E

COMES NOW the plaintiff and moves upon the first appearance of the defendant Loran Eugene Hall, Sr. that he be denied bond and held without bail, on the charges herein pending, on the ground and for the reasons:

- Defendant has been charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. §801 et seq.)
- There is a serious risk that the defendant will (2) flee.
- There is a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness.



#### AUTHORITY

For authority herein the Government cites the provision of 18 U.S.C. \$3142, and the presumptions accorded thereto.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney

OCDETF

3600 U. S. Courthouse

333 W. 4th Street

Tulsa, Oklahoma 74103

(918) 581-7463

JSM:vjg

# United States Nistrict Court

1	NORTHERN DIS	FRICT OF OKLAHOMA		
U.S.A.	V.	NOTICE		
LORAN EUGENE HALL, SR.		CASE NUMBER: 89-CR-83-01-E		
TYPE OF CASE:	□ CIVIL	A CRIMINAL		
X TAKE NOTICE That a	a proceeding in this case has bee	n set for the place date, and time set forth below:		
U S COURTHOUSE TULSA OKLAHOMA		COURTROOM #2		
TYPE OF PROCEEDING		MAY 21, 1990, 9:30 A.M.		
TAKE NOTICE that the	DATE AND TIME PREVIOUSLY	en continued as indicated below:  CONTINUED TO, DATE AND TIME		
-				
		JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT		
4-23-90 DATE		Beverly McCullough (BY) DEPUTY CLERK		
Paul Brunton Bruce Mills Jack Morgan				
Nome				

NOTE: DEFENDANT MOTIONS DUE: 5-4-90

GOVERNMENT RESPONSES DUE: 5-11-90

SEE NEW LOCAL RULES EFFECTIVE 12-1-89. RULE 15(f)

PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 5-14-90, 1:00 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 5-14-90

#### MINUTE SHEET - CRIMINAL

	CR.	CASE NO. 89-CR-83-01-E
DATE	USA vs. Lasan a	Eugene Hall, Sr (AGE)
	ARRAIGNMENT &/OR CHA	
JUDGE COOK JUDGE ELLISON JUDGE BRETT MAG. WAGNER MAG. WOLFE	Debuty Overton	Reporter Dorrough Reporter Caslavka Reporter Management
Counsel for Govern	ment a Margar IV	
Counsel for Defenda	ant & Brunton	rt Appointed; FPD
Defendant appears	in person with counsel; w	ithout counsel; counsel waived
Defendant acknowled	iges receipt of Indictmen	t; Information
Waives Indictment;	jury trial; 30 days prep	aration; separate representation
Waivers approved by	Court	
Defendant advised of	of charge and arraigned	
Indictment, Superse		tion; Superseding Information;
Enter plea of	as t	o Counts
Desendant withdraws	s plea(s) of Not Guilty to	o Counts
Counts	to	be dismissed at sentence
facts of charg	plea of guilty sworn to angle; petition (and/or Plea	nd executed; Defendant relates Agreement) approved and filed
Defendant adjudged	guilty as charged in Cour	nts
rindings re: Plea	Agreement; Made/Reserved	
Objections to PSI t	o be filed by	
Rule 32 hearing set		
SENTENCE SET		PSI ordered
Defendant allowed t	o stand on present bond;	Defendant remanded to USM
Defen	dant(s) to file any and a	all pre-trial motions
Gover	nment to respond	
Certi	fication of Discovery Dis	Sputes
Pre-t	rial conference & hearing	on motions at
Parti	es to file any suggested	voir dire, inst. & trial briefs
Jury	crial; Non-Jury trial at	
1140 5-4-90; Nesy	3-11-90. PT modelles +11	101 C/P 5-14-90, 1:00 pm
CR-2:6/89	70	

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK

204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491

Wichita, Kansas

490 U.S. COURTHOUSE 444 S.E. QUINCY TOPEKA, KANSAS 66683 (913) 295-2610 FTS: 752-2610

151 U.S. COURTHOUSE 812 NORTH SEVENTH KANSAS CITY, KANSAS 66101 (913) 236-3719

FTS: 757-3719

April 12, 1990

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

RECEIVED

APR 1 6 1990

JACK C. SILVER, CLERK U.S. DISTRICT COURT

APR 1 7 1990 B

Jack C. Silver, Clerk U.S. DISTRICT COURT

89-CR-83-01-E

Re: United States of America vs. Loren Eugene Hall, Sr.

Magistrate No: 90-1041M-01 - Northern Distict of Oklahoma

No. 89CR 83E

Dear Clerk:

Please find enclosed the following papers pursuant to Rule 40.

Waiver of Rule 40 Hearings Courtroom minute sheets dated 4-5-90 & 4-9-90. Order of Temporary Detention. Order Setting Conditions of Release. Appearance Bond

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very Truly Yours,

RALPH L. DELOACH, CLERK

Bonnie Stinson, Deputy Clerk

cc: U.S. Attorney Bryson Mills, Attorney Magistrate Wooley

Received above papers on 4-16-50

DEPUTY CLERK

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

### FILED

#### PRETRIAL PROCEEDINGS

CASE NO. 90-1041 M-01

APR 0.5 1990

	<del></del>
UNITED STATES OF AMERICA	A Lanny Will Strock Deput
Loren Lugine Hall So	P E A R A Bryson Mells
•	S (X) Retained ( ) Appointed
JUDGE: Wooley  CLERK: Harew Mackey  REPORTER:	WICHITA X TOPEKA
DATE: 4-5-90 PROCE	EDINGS
()CHANGE PLEA ()Def. sworn to financial status ()Constitutional Rights Explained ()Declines to Waive Indictment ()Signed Waiver of Indictment ()Signed Consent to Transfer unde ()Petition to Enter Plea filed (X)Waived Reading of:  ()Previous Plea: ()Guilty () ()Guilty ()Not Guilty ()Admitted ()Denied — Being ()Forms Furn ()Judgment deferred ()P.S.I. Orde ()Set for trial ()Bail \$ ()Continue ()Remain at \$ ()Release	ARANCE  ( ) MISDEMEANOR  ( ) Counsel appointed  ( ) Will be presented to next Grand Jury ( ) Information filed on  er Rule 20  ( ) Complaint ( ) Violation Notice (X) Indictment ( ) Number of Counts ( ) Information ( ) Read to Defendant ) Not Guilty Counts:  Counts:  Counts:  G Juvenile Delinquent as charged  ished ered ( ) Sentencing Set for:  ed on Present Bail (X) Remanded to custody
(x) Continued to 4-9-90 at 10:30 A Motions to be filed by:	of Sentencing.
	Parla Pair S
Responses or briefs filed by:	Reply Briefs:
Motions heard on: Tentative Trial Date:	•
( ) Defendant waived Omnibus Hearing ( ) Defendant refused to proceed in District Court	Magistrate's Court and remanded to

# United States District Court

FILED

DISTRICT OF \_\_KANSAS

APR 0 5 1990

RALDI L. DeLOACH, CLERK

UNITED STATES OF AMERICA

٧.

ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT

LORAN EUGENE HALL, SR.

Defendant

Case Number: 90-1041M-01

Upor	motion of the	Government			, it is ORDERED that a
detention	hearing is set for _	April 9, 1990  Date	* at	10:30 a.m.	Time
before	The Honora	ble John B. Woole	<b>y</b>		
		N	ame of Judi	cial Officer	
	Wichita, k	ansas			
		Location of J	Iudicial Offi	icer	
Pending tl	his hearing, the def	endant shall be held in cust	tody by (the	United States mar	shal) (
				) aı	nd produced for the hearing.
		Other Custodial	Official		*
			- 33		

<sup>\*</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

### FILED

## United States District Court APR 1 0 1990

DISTRICT OF_	KANSAS	PA: PA! Dal CAGIL C. S.
		BY BLUNDE DEPUTY

UNITED STATES OF AMERICA

٧.

WAIVER OF RULE 40 HEARINGS APR 16 1990 (Excluding Probation Cases)

SR U. S. DISTRICT (THIRT LORAN EUGENE HALL

	I, LORAN EUGENE HALL,	SR.			, understand that in the
	Northern	_ District of	Oklahoma		, charges are pending
alle	ging violation of 21 USC 841	(a)(1); 84	16 Mfg & Di	s Drugs	and that I have been
arre righ	sted in this District and taken before to:	ore a United Stat	tes Magistrate, wh	no informed me o	of the charge and of my
prod to d been	retain counsel or request the assignmentation to this district pursuant to etermine if I am the person named a returned or an information filed a committed by me, the hearing to	Rule 20, Fed. R in the charge, and b) to determine was be held either in	. Crim. P., in ord nd (4) a prelimina whether there is p n this district or	ler to plead guilty ry examination (u probable cause to	, (3) an identity hearing inless an indictment has believe an offense has
	I HEREBY WAIVE (GIVE U	P) MY RIGHT	IO A(N):		
( <b>X</b>	) identity hearing				
(	) preliminary examination				
(	) identity hearing and have been	informed I have	e no right to a pr	eliminary examina	ation
(	) identity hearing but request a p	oreliminary exam	ination be held in	n the prosecuting	district
and, char	therefore, consent to the issuance ge is pending against me.	of an order requ	uiring my appeara	ance in the prosec	uting district where the
		,	Defendant /	76.4	all S.

Defense Counsel

### CLERK'S . JURTROOM MINUTE SHEET - CR. INAL

# FILED

#### PRETRIAL PROCEEDINGS

CASE NO. 90-1041111-01

APR-1 0 1990

	9 1 BALFOL DELOACH, CLERK
UNITED STATES OF AMERICA P	Lanny Will Suncon Deputy
Joran Eugene Hall SR AN	Bryson Mills
	(X) Retained () Appointed
JUDGE: Woolev  CLERK: Barew Flotcher  REPORTER:	KANSAS CITY WICHITAX TOPEKA
DATE: 4-9-90 PROCEED	INGS
()CHANGE PLEA ()Def. sworn to financial status ()Constitutional Rights Explained ()Declines to Waive Indictment ()Signed Waiver of Indictment ()Signed Consent to Transfer under ()Petition to Enter Plea filed ()Waived Reading of:  wawed Nemoual Flournet ()Previous Plea: ()Guilty ()N ()Guilty ()Not Guilty ()Admitted ()Denied — Being ()Forms Furnis ()Judgment deferred ()P.S.I. Order ()Set for trial ()Bail \$25000 ()Continued	OF INDICTMENT () FELONY  ANCE () MISDEMEANOR  () Counsel appointed  () Will be presented to next Grand Jury  () Information filed on  Rule 20  () Complaint () Violation Notice  () Indictment () Number of Counts  () Information () Read to Defendant  ot Guilty Counts: Withdrawn  Counts: Accepted  Counts:  Juvenile Delinquent as charged
Motions to be filed by:	
Responses or briefs filed by:	Reply Briefs:
Motions heard on:	
Tentative Trial Date: 4-17-90 3:0	o Pm in Juloa OK
<ul> <li>( ) Defendant waived Omnibus Hearing</li> <li>( ) Defendant refused to proceed in Ma District Court</li> </ul>	agistrate's Court and remanded to

AO 245 S (3/88) Sheet 1 - Judgment Including Sentence Under	1
United Stat	tes District Court & Dug 1989
NORTHERN	A
NORTHERN	Die Silver Clerk
UNITED STATES OF AMERICA	JUDGMENT INCLUMN SENTENCE
V.	UNDER THE SENTENCING REFORM ACT
Loren Eugene Hall, Jr	Case Number 89-CR-083-003-E
(Alamana C. D. C. a. a. a.	
(Name of Defendant)	Defendant's Attorney
THE DEFENDANT:	
	E E E E E E E E E E E E E E E E E E E
□ pleaded guilty to count(§)Count_One_c     □ was found guilty on count(s)	
plea of not guilty.	after a
Accordingly, the defendant is adjudged go	uilty of such count(s), which involve the following offenses:
	ture of Offense Count Number(s)
	cy to Manufacture, Count One
	on With Intent to te Methamphetamine
	-
The defendant is sentenced as provided in pa	ges 2 through of this Judgment. The sentence is
imposed pursuant to the Sentencing Reform A	Act of 1984.
☐ The defendant has been found not guilty o	n count(s),
and is discharged as to such count(s).  Count(s)	(is)(are) dismissed on the motion of the
United States.  The mandatory special assessment is inclu-	
It is ordered that the defendant shall pay to which shall be due immediately.	or the United States a special assessment of \$\frac{50}{20},
It is further ordered that the defendant sha 30 days of any change of residence or mailin assessments imposed by this Judgment are fu	all notify the United States Attorney for this district within ng address until all fines, restitution, costs, and special
Defendant's Soc. Sec. Number:	my paid.
512-64-7511	November 23 1000
	November 21, 1989  Date of Imposition of Sentence
Defendant's mailing address: 211 Overlook Drive	Chamero dec.
	Signature of Judicial Officer The Honorable James O. Ellison
Derby, Kansas 67037	United States District Judge
Defendant's residence address:	Name & Title of Judicial Officer
Same as above	Date

Defendant: Loren Eugene Hall, Case Number: 89-CR-083-003-E	Jr. IMPRISONMENT	Judgment—Page _	of
The defendant is hereby commit imprisoned for a term of <u>Sixteen</u>	tted to the custody of the	United States Bureau	of Prisons to be
☐ The Court makes the following rec	commandations to the Dure	anu of Dringer	
☐ The Court makes the following red	commendations to the Bure	au of Prisons:	
<ul><li>☐ The defendant is remanded to the</li><li>☐ The defendant shall surrender to the</li></ul>			
a.m.			
☐ as notified by the Marshal.			
The defendant shall surrender for ser	vice of sentence at the institu	ution designated by the	Bureau of Prisons
Defore 22 punk xxx 12:00 Noon			
<ul><li>□ as notified by the United States</li><li>□ as notified by the Probation Of</li></ul>			
	RETURN		
I have executed this Judgment as	follows:		
Defendant delivered and India	G() * FO /		
Defendant delivered on	m/ 10 , \	with a certified copy of	at of this Judgment.

Waited States Marshall

By Famore A

AO 245 S (3/88) Sheet 3 - Supervised Release	
	JudgmentPage 3 of 4
Defendant: Loren Eugene Ha Case Number: 89-CR-083-003-	
	SUPERVISED RELEASE
Upon release from imprisonme	ent, the defendant shall be on supervised release for a term of
shall comply with the standard conc page). If this judgment imposes a re the defendant pay any such restitution	ne defendant shall not commit another Federal, state, or local crime and ditions that have been adopted by this court (set forth on the following estitution obligation, it shall be a condition of supervised release that on that remains unpaid at the commencement of the term of supervised y with the following additional conditions:
The defendant shall pay any fine release.	es that remain unpaid at the commencement of the term of supervised
N/A	

. . .

Judgment—Page 4 of 4

Defendant: Loren Eugene Hall, Jr. Case Number: 89-CR-083-003-E

United States District Court ) SS Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file in this Court.

By O. Jostumos Deputy

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm, or any other dangerous weapon. These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

# United States District Court

N	DRTHERN DIS'	TRICT OF OKLAHO	DMA
U.S.A.			
V,			NOTICE
•••		CASE NUMBER:	89-CR-83-05-E
DAVID ROYSE LADD		CASE NOMBER:	09-CR-03-U3-E
YPE OF CASE:		NT OBJECTA	
	CIVIL	M CRIMINAL	
U. S. COURTHOUSE TULSA OK	oceeding in this case has bee	ROOM NO.  COURTROOM #2	
TOLSA OK		DATE AND TIME MAY 15, 1990, 9:00 A.M.	
YPE OF PROCEEDING	_		
SENTENCE			
TAKE NOTICE that the p	roceeding in this case has be	en continued as indicated	below:
PLACE	DATE AND TIME PREVIOUSLY	CONTINUED TO, DATE	
	SCHEDULED	AND TIME	
		JACK C. SILV	ER. CLERK
		U.S. MAGISTRATE OR CLERK	
3-2-90		Roverty Mac.	11 ough
DATE		Beverly McCu (BY) DEPUTY CLERK	TTOUGU

(BY) DEPUTY CLERK

Defendant John Dowdell Jack Morgan

#### AINUTE SHEET - CRIMINAL

,	CR. CASE NO. 89.42-83-05-E
DATE 3/2	190 USA VS. David Respe Ladd (AGE) 30
/ /	
	ARRAIGNMENT &/OR CHANGE OF PLEA
JUDGE COOK	Deputy R. Miller Reporter Simpson
JUDGE ELLISON _ JUDGE BRETT	Deputy McCullough Reporter Dorrough Deputy Overton Reporter Caslavka
MAG. WAGNER	Deputy J.Miller Reporter
MAG. WOLFE	Deputy Mayes Recorded Reporter
	Deputy Mayes Reporter Recorded
Counsel for Gov	ernment & Morgan
Counsel for Def	
16-6	Retained; Court Appointed; FPD
	rs in person with counsel; without counsel; counsel waived
	wledges receipt of Indictment; Information
walves Indictme	nt; jury trial; 30 days preparation; separate representation
Waivers approve	
	ed of charge and arraigned
riled; rea	erseding Indictment; Information; Superseding Information;
Enter plea of _	Lulty as to Counts /
	raws plea(s) of Not Guilty to Counts/
Counts	to be dismissed at sentence
Fetition to ent facts of c	er plea of guilty sworn to and executed; Defendant relates harge; Detition (and/ Plea Agreement) approved and filed
Défendant adjud	ged guilty as charged in Counts /
Findings re: P	lea Agreement; Made/Reserved
Objections to Pa	SI to be filed by
Rule 32 hearing	set
SENTENCE SET	May 15, 1990, 9:00 A.M. USI ordered
Defendant allow	ed to stand on present bond; Defendant remanded to USM
	efendant(s) to file any and all pre-trial motions
	overnment to respond
C	ertification of Discovery Disputes
p:	re-trial conference & hearing on motions at
Pa	arties to file any suggested voir dire, inst. & trial briefs
J:	ary trial; Non-Jury trial at
	V
CR-2:6/89	

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U. S. DISTRICT COURT

UNITED STATES OF AMERICA. Plaintiff,

Criminal Case

David Royse Ladd

No. 89-92-83-05

#### WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the aboveentitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

GOVERNMENT:

Attorney for Defendant

Signed and approved in open Court this 29 day of

March , 1990.

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

C			2.	, ij	2/
	Jack	C.	Silver	Cler	
-	S. 1	dis	TRIZT	COU	RT

UNITED STATES OF A	MERICA,	No. 89-CR-83-05-E
vs.	Plaintiff,	PETITION TO ENTER PLEA OF GUILTY AND ORDER ENTERING PLEA
DAVID ROYSE LADD,  Defendant		(Federal Rules of Criminal Procedure, Rules 10 and 11)

#### The defendant represents to the Court:

- (1) My full true name is: \_ David Royse Ladd I am 30 years of age. I have gone to school up to and including completed approximately. I request that all proceedings against me be in my true name. / one year of college at Malone College,
- (2) I am represented by lawyer; his/her name a is: John E. Dowdell, Esq.
- (3) I received a copy of the Indictment before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
- (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. believe that my lawyer is fully informed on all such matters.
- (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s)

On various occasions beginning in late 1988, I assisted other named defendants, On various occasions beginning in late 1988, I assisted other named derendants, specifically loren Hall, Sr. and Toren Hall, Jr. in the acquisition of chemicals and related objects (such as glassware) which was to be utilized in an attempt to manufacture methamphetamine. The conspiracy of the Halls and others regarding the manufacture of methamphetamine was already ongoing when they sought my assistance. I assisted the Halls in the acquisition of these materials knowing that it would be used in an attempt to manufacture methamphetamine. On one occasion, I was present when an attempt was made to manufacture (or "cook") methamphetamine. To my knowledge, that attempt failed.

(in the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

NOTE: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is <a href="mailto:20">20</a> years imprisonment and/or a fine of \$1,000,000.00</a>.

  My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

For the property of the proper

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

 Individual Def.
 Other Def.

 \$ 250,000
 \$500,000

 100,000
 200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of  $\frac{50.00}{}$  will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least <u>three</u> years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

CR-4:5/89

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and the second state of the second state of the second

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)
If anyone else, including my attorney, made such a promise suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.
I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I amprepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".
(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.
Since my plea of "GUILTY" is the result of a plea agreement, hereby state that the terms of said agreement are as follows:
See attached plea agreement.
I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".  (15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plead "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:
Crusty As Charged in the indictment
"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s), "NOT GUILTY as charged in Count(s)

CR-4:5/89

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

Depakote -- A prescription drug I am taking in order to attempt to control chronic seizures which originated in a construction accident on September 9, (Mnone, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

Though I have never been found to be "mentally incompetent" or "mentally ill", I have been found to have suffered from brain damage as a result of the accident referred to in paragraph 17. Attached hereto as Exhibit "B" is a letter from my neurologist dated becember 7, 1988, regarding the diagnosis of brain damage.

- (19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
- (20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
- (21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in my attorney, this day o	open Court, in the presence of, 19 <u>90</u> .
	Del Posse foll
	Defendant
Subscribed and Sworn to befor March, 19 90.	e me this day of

BM Cullengt Deputy Clerk

a the annual property of the supplementations are supplementations.

CR-4:5/89

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant David Royse Ladd , hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

I have advised the defendant of the impact which a substantial assistance motion (Section 5kl.1) or a Rule 35(b) F.R.Crim.P. motion may have upon the Sentencing Guidelines.

(7) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

CR-4:5/89

ALLONOMA PROGRAMMA LINES IN

Signed by me in op above named and after		sence of the defendant the contents of this
certificate with the	defendant, this	day of
March	. 19 9/) .	
,		
	Ful	25. Smilelf
		Attorney for the Defendant

#### ORDER

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this 2 day of March 1990.

UNITED STATES DISTRICT JUDGE

CR-4:5/89



### United States Attorney Northern District of Oklahoma

3600 United States Courthouse 333 West 4th Street Tulsa. Oklahoma 74103 918/581-7463

January 17, 1990

Mr. John E. Dowdell Attorney at Law 2900 Mid-Continent Tower Tulsa, Oklahoma 74103

Re:

United States v. David Royse Ladd, No. 89-CR-83-05-E

Northern District of Oklahoma

Dear Mr. Dowdell:

Pursuant to our discussions, and David Royse Ladd's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Mr. Ladd currently stands charged with one count of violating Title 21, U.S.C. \$846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000.00 fine, a \$50.00 special assessment, and a minimum term of three years supervised release.

Timely acceptance of responsibility (§ 3E1.1) allows a 2 point level of reduction, if he agrees to the following:

- 1. Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
- 2. Voluntary termination or withdrawal from criminal activity or associations;
- 3. Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the



Mr. John E. Dowdell, Esq. January 17, 1990 Page 2

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable him significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, David Royse Ladd concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and his plea of guilty to the above referenced Indictment, the government will not subject him to additional federal criminal prosecutions for any criminal acts he committed in connection with such conspiracy, and will grant him immunity for the use of his disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§ 5K1.1), if he has in fact done so, thereby allowing the court to a downward departure from the guidelines. The undersigned government attorney will determine whether your client has in fact cooperated as required by this agreement.

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and his complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon his complete cooperation with any and all government investigations concerning the above referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, he agrees to make himself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require compete, candid and absolutely truthful disclosures by your client in response to any and all questions or



Mr. John E. Dowdell, Esq. January 17, 1990 Page 3

inquiries that may be put to him in connection with such investigations, actions or proceedings, whether in interviews with federal, state, or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should he knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to him concerning his freedom from additional criminal prosecutions as set forth above. In that event, he could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM

United States Attorney

JOHN S. MORGAN

Assistant United States Attorney Organized Crime Drug Enforcement

Task Force (OCDETF)

DAVID ROYSE LADD

Defendant

JOHN E. DOWDELL

Attorney for Defendant

March 2, 1990

Dato

JSM:kp

#### DALLAS NEUROLOGICAL ASSOCIATES 299 W. CAMPBELL ROAD RICHARDSON, TEXAS 75080 (214) 783-8900

December 7, 1988

RE: DAVID LADD

TO WHOM IT MAY CONCERN:

Mr. David Ladd is a patient of mine whom I have followed since 10-21-88. The diagnosis made at that time was post traumatic seizure disorder and migraine headaches. He was given prescriptions for Depakote and Vistoril at that time. Later that year Amitriptyline was added, along with occassional Tylenol #3, and then Tranxene. In March, 1988, he was admitted to the Richardson Medical Center because of a problem with sleeping more than 20 hours per day. After all medications were discontinued, he slowly became more alert and got back to a normal sleep-waking pattern and he was both headache and seizure free on Procardia, 10 mg., po tid. was felt that he had an idiosyncratic reaction to Transxen and/or a prolonged complex migraine headache. He was later hospitalized at Southwest Methodist Hospital in Mesquite, September 19-29, when he went into status epileptius and developed an aspiration pneumonia. He was in a coma until September 27th. Since then he had been on Depakote, 1000 mg., bid, and he has had no further seizures. Since then he has had a problem with recent memory (can't keep dates, names, appointments, recall conversations, follow instructions) which was not a problem before that. This disables him for his previous occupation (a technical service electrician), and he can't solder, shakes if he stands on a ladder. He is seeking job retraining with the Texas Employment Commission, but it is likely to be difficult for him to find employment with this degree of brain damage. He can't do fine work with his hands, can't drive a car at night, can't read for long (eyes blur, left greater than right). I feel that he is probably permanently disabled to some extent, although he may recover some of his intellectual functions slowly.

Please contact me if there are any questions.

Sincerely,

Jonathan E. Walker, M.D.

Ja Wille, my

JEW/rg

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERIC	CA, )	1990 de
Plaintiff,	Ó	to the second
vs.	) ) Crim. N	To. 89-CR-83-04-E
BARBARA MARTENEY,	)	
Defendant.	)	

#### MEMORANDUM OF SENTENCING HEARING AND REPORT OF STATEMENT OF REASONS

Counsel and the Defendant were present for sentencing hearing on January 26, 1990. The matters set forth were reviewed and considered. The reasons for sentence, 18 U.S.C. 3553(c), as set forth herein, were stated in open court.

1.	Was t	the presentence investigation report (PSI) reviewed by counsel and Defendant?1
		<u>x</u> Yes <u> </u>
2.	(a)	Was information withheld pursuant to FRCrP 32(c)(3)(A)?
		Yesx No
	(b)	If yes, has summary been provided by the Court pursuant to FRCrP 32(c)(3)(B):
		Yes No
3.	(a)	Were all factual statements contained in the PSI adopted without objection?
		<u>x</u> Yes <u> </u>

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

	(b)	Disputed issues have been resolved as follows a further submissions and/or argument		entiary hearing,
4.	Are a	ny legal issues in dispute?	Yes	x No
	If yes	, describe disputed issues and their resolution:		
		*		
5.	(a)	Is there any dispute as to guideline application history category, fine or restitution) as stated in		ense level, criminal
			Yes	_x_ No
		If yes, describe disputed areas and their resolut	ion:	
		*		
	(b)	Tentative findings as to applicable guidelines ar	re:	
		Total Offense Level:30  Criminal History Category:I97to121months imprisonment*to3years supervised release \$17,500to \$1,000,000fine (plus cost of imprisonment/supervision \$N/Arestitution \$S	each of one co	ount)
6.	(a)	Are there any legal objections to the tentative fi	indings?	
			Yes	<u>x</u> No
	(b)	If no, the findings are adopted by the Court.		
	(c)	If yes, describe objections and how they were ac	ddressed:	

/-	Check	appropriate space:					
	X	Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)					
	X	Defendant speaks on own behalf.					
	x	Remarks by counsel for Government.					
8.	The se	entence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 ows:					
		_ Months imprisonment					
		Months/intermittent community confinement					
	60	Months probation					
		Months supervised release					
	\$	Fine (including cost of imprisonment/supervision)					
	\$	Restitution					
	\$ <u>50</u>	)_00 Special assessment (\$ on each of counts)					
	Other	provisions of sentence (Community service, forfeiture, etc.):					
		*					
9.	Check	appropriate space:					
	(a)	The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.					
	OR	The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:					
		*					
	(b)	x Sentence departs from the guideline range as a result of:					
		x substantial cooperation upon motion of the government					
		OR					
		a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from					

that described by the guidelines for the following reasons:

	(c)	Is restitution applicable in this case? Yes x No
		Is full restitution imposed? Yes No
		If no, less than full restitution is imposed for the following reasons:
		where the state of
	(d)	Is a fine applicable in this case?
		Is the fine within the guidelines imposed? Yes No
		If no, the fine is not within guidelines or no fine is imposed for the following reasons:
		x Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or
		Imposition of a fine would unduly burden the Defendant's dependents; or
		Other reasons as follows:
		*
10.	Was a	plea agreement submitted in this case? Yes No
	Check	appropriate space:
	<u>x</u>	The Court has accepted a Rule ll(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.
		The Court has accepted either a Rule ll(e)(1)(B) sentence recommendation or a Rule ll(e)(l)(C) sentence agreement that is within the applicable guideline range.
	_	The Court has accepted either a Rule ll(e)(l)(B) sentence recommendation or a Rule ll(e)(l)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by l8 U.S.C. 3553(b).
11.	Sugges to this	stions for guideline revisions resulting from this case are submitted by an attachment report.
		Yesx _ No
12.	The Ps	SI is to be maintained by the IIS Probation Office under seel. These seek

adopted and incorporated as part of this statement of reasons will be part of the public record.

- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this day of January, 1990.

JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

# United States District Court

NORTHERN

District of

OKLAHOMA

... 1000

Jack C. Silver, Clerk

UNITED STATES OF AMERICA

V.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Barbara Marteney		Case Number 89-CR-083-	-004-E
(Name of Defend	lant)	Ronald Bennett	
		Defendant's	Attorney
THE DEFENDANT:			
<ul><li></li></ul>	One		after a
Accordingly, the defendant	is adjudged guil	ty of such count(s), which involve	e the following offenses:
Title & Section		e of Offense	Count Number(s)
21 USC 846			Obstite Teating City
21 USC 841(a)(1)		to Manufacture and th Intent to Distribute amine	One
<ul> <li>□ The defendant has been four and is discharged as to such</li> <li>□ Count(s)</li> <li>United States</li> </ul>	count(s).		ed on the motion of the
United States.  ☐ The mandatory special asses ☐ It is ordered that the defendation which shall be due immediate.	int shall pay to 1	ed in the portion of this Judame	ent that imposes a fine
It is further ordered that the 30 days of any change of resid assessments imposed by this Ju	ence or mailing	notify the United States Attorne address until all fines, restitu y paid.	ey for this district within tion, costs, and special
Defendant's Soc. Sec. Number:			
511-60-0776			
		Date of Imposition	n of Sentence
Defendant's mailing address:		Charles Of	10.
406 South Acres		Signature of Jud	dicial Officer
Dallas, Texas 75127		James O. Ellison, U. S	. District Judge
Defendant's residence address:		Name & Title of J	udicial Officer
Same		January 26, 1990	
		Date	

Judgment—Page 2 of 3

Defendant: Marteney, Barbara Case Number: 89-CR-083-004-E

#### **PROBATION**

The defendant is hereby placed on probation for a term of \_\_\_\_\_Five\_(5) years \_\_\_\_\_.

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

You shall participate in substance abuse counseling and screening as directed by the United States Probation Office.

Judgment—Page	3	of	3	
oudginent—Lage		_ 01 _		

Defendant: Marteney, Barbara Case Number: 89-CR-083-004-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime:
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall submit to urinalysis as directed by the U. S. Probation Office. These conditions are in addition to any other conditions imposed by this Judgment.
- 16) the defendant shall not possess a firearm or other dangerous weapon without the permission of the U.S. Probation Office.

# United States District Court Nov 24 1989

				V 10 ; j	303
	NORTHERN	District of OKLAHOMA		Silver	. Clerk
UNITED STATES OF AMERICA V.		JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT			
Michael Steven Ha	all	Case Number 89-CR-	083-006-E	C)	
(Name of Defendant)			id Booth	A 3.2 6	- //ph
THE DEFENDANT:		Deletida	at 5 Attorney	P4	
pleaded guilty to count(s) _ was found guilty on count(s) _ plea of not guilty.		f a Single Count Indic	tment	 ω	after a
Accordingly, the defendant is <u>Title &amp; Section</u>		uilty of such count(s), which in		owing o	
21 USC 846 & 841(a)(1)	Possess	acy to Manufacture, ion With Intent to ute Methamphetamine	E I LO	1991	ds
The defendant is sentenced as pr imposed pursuant to the Sentenci	ovided in paging Reform A	ges 2 through <u>4</u> of this	Jack C. Silw Jug: Distric	or, Cler Toot	k Hence is
<ul> <li>□ The defendant has been found and is discharged as to such a Count(s)</li></ul>	not guilty or count(s).	n count(s) (is)(are) disr	missed on the	e motic	
It is ordered that the defendan which shall be due immediatel	y.				1
It is further ordered that the d 30 days of any change of resider assessments imposed by this Jud	ice or mailin	10 address until all tines res	orney for this	districts, and	special
Defendant's Soc. Sec. Number:					
509-58-7954		November 21, 19			
Defendant's mailing address:		Date of Imposition of Sentence			
1619 East 10th Street		Jones	Wellen	2-	
Newton, Kansas 67114		The Honorable J	of Judicial Officer ames O. E]	llisor	n
Defendant's residence address:		United States D	istrict Ju of Judicial Office	ıdae	
Same as above					
			Date		

Defendant delivered on 1-2-90 to Federal Prison (AMP) at , with a certified copy of this Judgment.

Reno, 0K

Reno, 0K

United States Marshal

beputy Marshall

Judgment—Page 3 of 4
efendant: Michael Steven Hall ase Number: 89-CR-083-006-E
SUPERVISED RELEASE
Upon release from imprisonment, the defendant shall be on supervised release for a term of
Five (5) years
While on supervised release, the defendant shall not commit another Federal, state, or local crime and rall comply with the standard conditions that have been adopted by this court (set forth on the following age). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that be defendant pay any such restitution that remains unpaid at the commencement of the term of supervised lease. The defendant shall comply with the following additional conditions:
The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
N/A

Judgment—Page 4 of 4

Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E United States District Court ) SS Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file in this Court

Jack C. Silver, Clerk

# STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime:
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any orther dangerous weapon.

  These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

# MINUTE SHEET - SENTENCING

	CR. CASE NO. 89-CR-83-4-E
DATE 1/26/96	USA VS. Barbara ann martiney (AGE)
, ,	
	SENTENCING
JUDGE COOK  JUDGE ELLISON  JUDGE BRETT  JUDGE	Deputy R. Miller Reporter Simpson Deputy McCullough Reporter Dorrough Deputy Overton Reporter Caslavka Deputy Reporter Reporter
Counsel for Plaintiff	Han Bennett
Counsel for Defendant	Retained; Court Appointed; FPD
MINUTE: Enter as above	e.
Defendant appears in	person with counsel. Counsel waived.
prefendant and counsel pronounced, and no car	asked if they care to say anything before sentence is use to the contrary being shown,
Sentenced to the cust	ody of as to Counts
7	
1mposition of sentence	e suspended - Probation <u>Eyu</u> as to Counts /
Prop Dung	uB transferred to Dallas, Ip
18:3553 Findings re Pa	SI/Sentence made, Transcript Ordered
	ines; within same; Departure; Upward/Downward,
Bond Exonerated.	
Defendant advised of	right to appeal.
Defendant gives oral a	
Appeal bond set at	
Pomandod to must a	(cash or surety)
Remanded to custody of ADDITIONAL MINUTES:	U. S. Marshal.
mot a fa	esture from Gladines - granted
	\/ <i>y</i>
	V/V
	^
CR-3:6/89	De Colonia

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,	FILED  JAN 19 1990 d
VS.	Jack C. Silver, Clerk U.S. DISTRICT COURT
BARBARA ANN MARTENEY,	
Defendant.	) No. 89-CR-83-04-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 29th day of November, 1989. Her sentencing is currently scheduled for January 26, 1990 at 1:15 p.m.

This defendant, Barbara Ann Marteney, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$ 5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for



security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West 4th Street Tulsa, Oklahoma 74103 (918) 581-7463

## CERTIFICATE OF SERVICE

This is to certify that on the day of January, 1990, a true and correct copy of the foregoing motion was mailed, postage prepaid thereon, to Ronald Bennett, Esq., 16 East 16th Street, Ste. 200, Tulsa, OK 74119.

Assistant United States Attorney

JSM:kp

CJA 20 (Int 1/88) APPOINTMENT	OF-AND AUT	THORITY 7	TO PAY C	OURT APPOIN	ITED C	OUNSE	L
1. JURISDICTION 3 APPEALS		2. MAG. DOCK	ET NO.		T NO. V	OUCHER	NQ.
1 MAG. 2 DIST. 4 OTHER _				89-CR-03-	E		0154519
4. APPEALS DOCKET NO. 5. FOR (DIST	CAHOMA	LOC. CODE		7. CHARGE/OFFE 21:846; 8	NSE (U.S.	or other	7A, CASE CODE 68
B. IN THE CASE OF U.S.A. VS THIS	MESCH		9. PERSON	REPRESENTED (F	ULL NAM	(E)	9A. NO. TEPRES.
10. PERSON REPRESENTED (STATUS)		* ** ** **		EDINGS (Describe b	-		
1 DEFENDANT—ADULT 3	APPELLANT5	OTHER		Proceeding			
12. PAYMENT CATEGORY  A FELONY  C PETTY	OFFENSE E	OTHER		riocecuing			
B ☐MISDEMEANOR D ☐ APPEA					·		
O Appointing Counsel F Subs.	for FD P D Subs	s. for Panel Atty	/·	Name of (	prior panel	attorney	
C L Co-Counsel R L Subs. for Reta	ined Atty.		Appt. Date			Voucher	No.
Because the above-named "person repres otherwise satisfied this court that he or s counsel and (2) does not wish to waive c justice so require, the attorney whose na	he (1) is financially ounsel, and because	unable to empl	оу 14.	NAME OF ATTORN MAILING ADDRESS Stanley G	S	EAND	
represent this person in this case.	/.			54 E. 61st			al .
for Maple	09		7793	lsa, OK 74			
Sig. of Presiding Judicial Office	er or By Order of C	ourt (Clerk/De	puty)	LUCY ON TE	200		
▶ August 16, 1989							
Date of Order	Nunc Pro	Tunc Date		TELEPHONE NO.			SEC. NO.
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5574105	CLAIM	FOR SERVI			_		
SERVICE 17		HOU	RS	DATE	S		Multiply rate per hour
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b. Ball and Detention Hearings							compensation.
c. Motions Hearings				11/1/11/11	11/11	1	Enter total below.
d. Trial							
e. Sentence Hearings							
e. Sentence Hearings  of. Revocation Hearings							
Z g. Appeals Court		1					17A. TOTAL IN
h. Other (Specify on additional sheets)	1	1.		1.12:169			COURT COMP.
	) TOTAL HOURS =			1 / 2			\$ 1 7
18. a. Interviews and conferences		1 . 7		1			Multiply rate per hou
b. Obtaining and reviewing records		1 1					times total hours. Enter total "out of
c. Legal research and brief writing		1					court" compensation below.
d. Travel time (Specify on additional sh	eets)						18A. TOTAL OUT OF
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640	) TOTAL HOURS=	5.	1				
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N.		<del> </del>					EXP.
E X DE LA SE							e i 1
x							20. GRAND TOTAL
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21. CERTIFICATION OF ATTORNEY/PAY	SE FOR REDION						* 1 1 1 1 1 1 1 1
F Final Payment   Interim Payment				TC	) <u></u>		
Has compensation and/or reimbursement for	work in this case of	revious <mark>ly been</mark> a	pplied for?	YES NO			
If yes, were you paret. YES NO If ye	s, by whom were yo	ou paid?	How	much?	_ Has the	person rep	resented paid any
money to you, or to your knowledge to anyour lf yes, give details on additional sheets.	one else, in connecti	on with the ma	tter for which	you were appointed	d to provid	e represent	tation? 🗆 YES 🗆 NO
I swear or aftirin the truth or correctness of t	he	t	.2				
above statements	SIGNATURE	OF ATTORNE	EY/PAYEE			— DA	TE
	OFCOURT COMP.			25. OTHER I	EXPENSE	5 10	6. TOTAL AMT.
ON \$ 3.72 \$ /	016.50	\$		\$ · >			ADDROVEDICERT
27. SIGNATURE OF PRESIDING JUDI	CIAI/OFFICER	3		DATE /			7A. JUDGE/MAG.
	1. 11.			1 /2:	-//	ن (`	CODE CODE
28. SIGNATURE OF CHIEF JUDGE, C	T. OF APPEALS (O	R DELEGATE	)	DATE		2	9. TOTAL AMT.
							APPROVED
						1 3	

1					Y COURT APP			
	URISDICTION 3 APPEA	L3 I	2. MAG. DOCK	ET NO.			VOUCHE	
4 0	🗆 MAG. 2 😾 DIST, 4 🗆 OTHER				89-CR-			015451
F. A	PPEALS DOCKET NO. 5. FOR (				7. CHARGE/			
	ND (	OKLAHOMA	OKNTU		21:846			68
. ,11	N THE CASE OF				RSON REPRESENTE			9A. NO.
U.S.A. vs THIMMESCH				KE	NT PATRICK	THIMME	SCH	BEPRE
0.	PERSON REPRESENTED (STATUS	5)	_	11. PF	OCEEDINGS (Desc	ribe briefly)		<del></del>
	1 DEFENDANT-ADULT 3	APPELLANT 5	OTHER			·		
	2 DEFENDANT-JUVENILE 4	APPELLEE		A.	11 Proceed:	ings		
2.	PAYMENT CATEGORY	TV OFFENSE E	OTHER		e e s s s	٦,		
	A E FELONY C PET B DMISDEMEANOR D DAP	PEAL	D OTHER	1				4
_								
٥.	O MAppointing Counsel F St	be for ED P Sub	s for Panel Attu	No.				
	o as Appointing Country 1 200	D3. 101 1 D 1 E 340	3. TOT Fallet ALL	y	Nam	e of prior pan	el attorney	/
	C L Co-Counsel R L Subs. for I	Retained Atty.		Appt: D	ate		_ Vouche	er No
	Because the above-named "person re otherwise satisfied this court that he	or she (1) is financially	unable to empl-	ov .	14. NAME OF ATT	ORNEY/PAY	EE AND	
	counsel and (2) does not wish to wai	ve councel and because	the interests of		MAILING ADD	RESS		
	justice so require, the attorney whose represent this person in this case.	rame appears in item	14 is appointed	10	Jo Stanle	Glenn		Ť
	Id V.	11/1			1154 E. 6			
	( Jen pro	109			Tulsa, OK			
	Sig. of Pesiding Judicial (	Officer or By Order of (	Court (Clerk/De	puty)	server, on			
	August 16 1000			-	15. TELEPHONE N	10	16 500	C. SEC. NO.
	August 16, 1989 Date of Order	* Nunc Bro	Tunc Date "		- %			
_	. Date of Order ,				(918) 749	-5531	448	-52-4877
_		CLAIN	FOR SERVI					1
, ,	SERVICE		HOU		1	PATES		Multiply rate per
<u>'-</u>	a. Arraignment and/or Plea		2.3	3	8/16/89	8/21/8	59	times total hours to obtain "In Court"
	b. Bail and Detention Hearings					- / - /		compensation.
	c. Motions Hearings		3.0		9/11/89	10/17/9	39	Enter total below.
	d. Trial	-			1, 7	7-76		
-	e. Sentence Hearings					·		1
3	f. Revocation Hearings							
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#### FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT SUITE 524, 215 DEAN A. McGEE
OKLAHOMA CITY, OKLAHOMA 73102
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS C 222 SOUTH HOUSTON, SUITE C TULSA, OKLAHOMA 74127 (918) 581-7656 FTS 745-7656

January 18, 1990

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Thimmesch, Kent Patrick Case No. 89-CR-83-E
CJA Voucher No. 0154519

Dear Judge Ellison:

Ms. Jo Stanley Glenn, attorney at law, was appointed to represent Kent Patrick Thimmesch in the above referenced cause.

Ms. Glenn informed me she has completed her services in this matter. She submitted her CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Ms. Jo Stanley Glenn

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk
Plaintiff,	
Vs.	No. 89-CR-83-05-E
LOREN EUGENE HALL, SR., et al.,	
Defendants.	)

#### ORDER

The Court, having examined the reasons set forth by the Defendant David Royse Ladd for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, of David Royse Ladd heretofore set for January 16, 1990 is stricken and reset for March 19, 1990, 9:30 A.M. The period between January 16, 1990 and March 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h)(8). Pretrial, motion hearing &/Or Change of plea is reset March 2, 1990, 1:00 P.M. Requested instructions are due March 12, 1990. ORDERED this \_\_\_\_\_\_ 5th day of January, 1990.

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

13

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

1AH 21990 01

UNITED STATES OF AMERICA,

Plaintiff.

Jack C. Silver, Clerk U. S. DISTRICT COURT

vs.

No. 89-CR-83-E V

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

Defendants.

DEFENDANT LADD'S APPLICATION TO RESCHEDULE TRIAL DATE, AND RELATED DEADLINES, AND SUPPORTING BRIEF

The defendant, David Royse Ladd ("Ladd"), hereby respectfully requests that this Court reschedule the trial in this case, presently set for January 16, 1990. In addition, the defendant requests that the related deadlines scheduled for January 3 at 1:00 p.m. (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled. In support of this Application, Ladd states:

- 1. The undersigned counsel was appointed to represent Ladd on Tuesday, November 28, 1989. Ladd resides in Canton, Ohio.
- 2. Ladd and defense counsel met for the first time the day after counsel's appointment -- November 29. The meeting lasted approximately two (2) hours. Ladd returned (by bus) to his home in Ohio that afternoon.

- 3. Because of the distance between Ladd and his counsel, opportunities to meet and examine the facts and circumstances of the crime charged have been limited to the one brief meeting referenced above. This situation is exacerbated by the defendant's indigence.
- 4. The holiday season and counsel's previously scheduled commitments to discovery in other matters have further limited the opportunity for communication between Mr. Ladd and his counsel.
- 5. On Friday, December 29, 1989, Ladd filed a Waiver of Speedy Trial pursuant to the provisions of 18 U.S.C. §3161, et seq., waiving his right to a speedy trial under the Speedy Trial Act. Ladd and his counsel thereby seek additional, necessary time to adequately prepare for trial of this case.
- 6. The government's counsel has been consulted and has no objection to this extension application.
- 7. Preliminary discovery motions have been filed by the defendant and the government has responded to those motions. The related deadlines scheduled for January 3 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) should also be rescheduled to dates consistent with a new trial date.
- 8. Defendant Ladd submits that the trial should be rescheduled on a date no less than sixty (60) to ninety (90) days in the future.

WHEREFORE, the defendant, David Royse Ladd, hereby

respectfully requests that the trial date in this matter, presently scheduled for January 16, 1990, be rescheduled for a date at least sixty (60) to ninety (90) days in the future and that the related deadlines of January 3, 1990 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled to dates consistent with the newly scheduled trial date.

Respectfully submitted,

John E. Dowdell, OBA #2460

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

## CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of January, 1990, a true and correct copy of the above and foregoing instrument was hand-delivered to:

John S. Morgan, Esq. Assistant United States Attorney United States Courthouse 333 W. Fourth Street Tulsa, OK 74103

John E. Dowdell

# FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 29 1989 OLT

UNITED STATES OF AMERICA,	)	Jack C. Silver, Clerk U.S. DISTRICT COURT
Plaintiff,	)	
VS.	) No. 89-CR-83-E	
DAVID ROYSE LADD,	)	
Defendant.	)	

# WAIVER OF SPEEDY TRIAL

comes now the Defendant, David Royse Ladd, and hereby waives his right to a speedy trial under the Speedy Trial Act, 18 U.S.C. §3161, et. seq., for the period of time necessary to adequately prepare for trial so that my counsel in this matter, John E. Dowdell, will have ample opportunity to investigate this matter and adequately prepare for the trial of this case.

DAVID ROYSE LADD

APPROVED:

John E. Dowdell, ØBA #2460

MORMAN & WOHLGEMUTH

2900 Mid-Continent Tower

Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

# CERTIFICATE OF MAILING

I, John E. Dowdell, hereby certify that on the 29th day of December, 1989, I mailed a true and correct copy of the above and foregoing instrument to:

John S. Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

by depositing said copy in the U.S. mail postage prepaid thereon.

John E. Dowdell

# FILED

DEC 2 8 1989 OF

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 89-CR-83-E

LOREN EUGENE HALL, JR., et al.)

Defendants.

# ORDER FOR TRANSPORTATION

Upon consideration of the Defendant, Loren Eugene Hall, Jr.'s, unopposed Motion For Transportation Assistance, the Court finds that said request should be granted.

The Court finds that the Defendant be ordered to report to the nearest United States Marshal's Office in the State of Kansas prior to the date of surrender in order that he may be transported to the Federal Correctional Institution in Milan, Michigan for service of his sentence, beginning 12:00 noon on January 2, 1990.

IT IS SO ORDERED this 28 day of December, 1989.

THOMAS R. BRETT, for James O. Ellison UNITED STATES DISTRICT JUDGE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 26 1989 OF

JACK C. SILVER, CLERK U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

Plaintli

VS.

Case No. 89-CR-83-E  $\sqrt{}$ 

LORAN EUGENE HALL, SR.,
KENT PATRICK THIMMESCH a/k/a
PAUL RICHARD LASSLEY,
LOREN EUGENE HALL, JR.,
BARBARA ANN MARTENEY,
DAVID ROYSE LADD, and
MICHAEL STEVEN HALL,

Defendants.

# MOTION FOR TRANSPORTATION ASSISTANCE

COMES NOW the Defendant, Loren Eugene Hall, Jr., and respectfully requests this Court for transportation assistance through the United States Marshal's Office. As grounds for said request the Defendant would state:

- 1. That this Honorable Court did, on the 21st day of November, 1989, impose a sentence of sixteen (16) months in custody of the United States Bureau of Prisons.
- 2. That the Defendant was ordered to surrender to the Bureau of Prisons in Milan, Michigan, on the 2nd day of January, 1990, 12:00 noon.
- 3. That this Defendant lives in Derby, Kansas and is unable to pay for the transportation expense from Derby, Kansas to Milan, Michigan.
- 4. The Defendant respectfully requests an Order of the Court that he be allowed to report to the nearest United States Marshal's Office prior to the date of surrender, in order that he may be transported to the Federal Correctional Institution in Milan, Michigan.

To objection per you theslet

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Jim H. Heslet

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FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH
FEDERAL PUBLIC DEFENDER

SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT SUITE 524, 215 DEAN A. McGEE
OKLAHOMA CITY, OKLAHOMA 73102
(405) 231-5725 FTS 736-5725

Northern and Eastern Districts . 222 South Houston, Suite C TULSA. OKLAHOMA 74127 (918) 581-7656 FTS 745-7656

December 15, 1989

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Hall, Loran Eugene, Jr. Case No. 89-CR-83-01-E
CJA Voucher No. 0154502

Dear Judge Ellison:

Mr. Jim Heslet, attorney at law, was appointed to represent Loran Eugene Hall, Jr. in the above referenced cause.

Mr. Heslet informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Jim Heslet

DEC 18 1929 d

UNITED STATES OF AMERICA,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
Plaintiff,	0.5. DISTRICT COOK!
vs.	
DAVID ROYSE LADD,	}
Defendant.	) No. 89-CR-83-05-E

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

# GOVERNMENT'S RESPONSE TO THE MULTIPLE PRETRIAL MOTIONS OF THE ABOVE DEFENDANT

Comes now the government and for its combined response to the multiple pretrial motions of the above defendant, alleges and states:

I.

# Motion to Produce

Plaintiff will fully comply with the discovery provisions of Rule 16, Federal Rules of Criminal Procedure, and within its limitations, will comply with most of the discovery requests of defendant. See: Rule 15F. Motions in Criminal Cases. Rules of the U.S. District Court for the Northern District of Oklahoma, effective May 1, 1988.

Since the defendant is requesting information under Rule 16(a)(1)(C) or (D) of the Federal Rules of Criminal Procedure, the government requests reciprocal discovery under the provisions of Rule 16(b)(1). The government respectfully requests the court to order compliance by defendant with the reciprocal discovery provisions of Rule 16(b) and the continuing duty under Rule 16(c).

8

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 1 1 1989 OLA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD and)
MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO COMPEL DISCLOSURE OF IDENTITIES OF INDIVIDUALS FURNISHING NONPRIVILEGED INFORMATION

)

Defendant David Royse Ladd ("Ladd"), through counsel, moves the Court to order the disclosure of (1) the identities and addresses of any persons who have furnished nonprivileged information relating to the Counts (separately or in combination) of this indictment to any law enforcement officer or government official and (2) the identities and addresses of any persons known to any officer or official to have any knowledge about any matter related to the Counts of the indictment. See Roviaro v. United States, 353 U.S. 53, 6061 (1957) (absent clear need to protect informers, disclosure of "relevant and helpful" information must be made).

If the United States of America (the "government") cannot reveal the informers' identities, Ladd moves the Court to



Plaintiff will comply with Rule 16(a)(1)(A) of the Federal Rules of Criminal Procedure, which basically provides that the government provide copies of all relevant written or recorded statements by the defendant, including the substances of any oral statements, made in response to interrogation by any person then known to the defendant to be a government agent.

The plaintiff will comply with the requirement of the <a href="Jencks"><u>Jencks Act</u></a>, 18 U.S.C. §3500, and will provide any such items sufficiently prior to the testimony of the witness, so that trial is not delayed.

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

Transcript of testimony of witnesses who appeared before the grand jury, would only be producible under the <u>Jencks Act</u>, 18 U.S.C. §3500, subject to the court's ruling that it was relevant and should be released under Rule 6(e), Federal Rules of Criminal Procedure. A court order would be required before such statements can be turned over to defense counsel, even under the <u>Jencks Act</u>.

Any evidence to be introduced at trial, including photos and charts of items seized and inventories thereof, as a result of search warrants, surveillance by telephone conversation recordings, wire interception of other electronic means, which will be introduced in evidence or is otherwise pertinent, will be furnished to defense counsel prior to trial for inspection or copying, if any.

II.

# Motion for Disclosure of Government's Intention to Use Evidence

As stated above all evidence to be introduced is available for inspection by defense counsel whenever he notifies the U.S. Attorney's Office if he desire to arrange an appointment.

There does not appear to be any evidence obtained from defendant which would entitle him to move to suppress.

III.

Motion to Compel Disclosure of The Existence and Substance of Promises of Immunity, Leniency or Preferred Treatment

Pursuant to <u>Brady v. Maryland</u>, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or her

own motive for cooperating with the government.

Rule 16, Federal Rules of Criminal Procedure, does not require pretrial disclosure of witness statements (if any).

Jencks, material, 18 U.S.C. §3500, will be provided the day before testimony in order to avoid delays in time of trial.

Rule 16 material and Brady will be made known to defense as an on-going procedure, when appropriate.

IV.

Motion to Compel Disclosure of Identities of Individuals Furnishing Nonprivileged Information

All information obtained from investigation witnesses will be produced as <u>Jencks</u> material, 18 U.S.C. §3500, as trial witnesses.

However, the defense counsel is welcome to make an appointment and visit the U.S. Attorney's Office and see the entire government file, at any time.

V.

Motion for Disclosure of Any Rule 404(b) Evidence the Government Intends to Introduce at Trial

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by <u>United States v. Record</u>, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

VI.

Motion for the Government to Affirm or Deny Illegal Electronic Surveillance

The government knows of no such evidence at this time. Should such become available and its use intended, a notice of such will be filed in the case.

Respectfully submitted

TONY M. GRAHAM

ed States Attorney

OHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74103

Un ted States Attorney

#### CERTIFICATE OF SERVICE

This is to certify that on the 16 day of December, 1989, a true and correct copy of the foregoing was mailed postage prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103.

5

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED DEC 1 1 1989

UNITED STATES OF AMERICA,

Plaintiff,

Jack C. Silver, Clerk U.S. DISTRICT COURT

vs.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD )
and MICHAEL STEVEN HALL,

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF FOR DISCLOSURE OF ANY RULE 404(b) EVIDENCE THE GOVERNMENT INTENDS TO INTRODUCE AT TRIAL

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves this Court to order the United States of America (the "government") to provide Ladd the following information about each item of evidence it intends to seek to introduce at trial under the authority of Rule 404(b), Federal Rules of Evidence:

- A. Any evidence the government intends to introduce at trial of other crimes, wrongs or bad acts including, but not limited to:
  - 1. Any evidence that tends to establish that Ladd participated in similar transactions as those charged in the indictment;
    - 2. Any evidence of a statement of Ladd, oral

compel disclosure of the contents of any communication between informers and the government that does not tend to reveal the identities of the informants. <u>Id</u>., at 60. (Contents of informer's communications not tending to reveal his or her identity not privileged).

Ladd also moves the Court to order the disclosure of the existence of any informer supplying information regarded by such officials as privileged and requests the Court to conduct a hearing, if necessary, to determine whether the information is in fact privileged. Without such a hearing, Ladd's rights under Roviaro are meaningless.

If the Court believes that granting the motion at this time is inappropriate, Ladd requests permission to refile the motion at a later time.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

### CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdell by skill

or written, that the government alleges is false or misleading and which is not the specific subject of a Count or Counts in the present indictment; and

- 3. Any evidence that Ladd's conduct, acts or statements constitutes a violation of any state or federal law.
- B. Any and all factual details known to the government as well as which details it will seek to introduce, about each "other crime", "wrong" or "bad act".
- C. Whether the evidence will be introduced by means of a documentary exhibit, and, if so, the identity of each exhibit and its availability for inspection and copying.
- D. The names of any witnesses who will give testimony about the "other crime", "wrong" or "bad act" and/or lay the foundation for the entry of any exhibit and a summary of theses witnesses' intended testimony.
- E. Whether each "other crime", "wrong" or "bad act" is presently the subject of a pending charge or ongoing criminal investigation; and, if so, whether the government intends to elicit this circumstance from any witness or through any exhibit.
- F. The element of the crime for which each "other crime", "wrong" or "bad act" is offered as proof, i.e., "motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." Rule 404(b), Federal Rules of Evidence.

If any information derived from these sources, or any other source, is intended to be offered at the trial of this case pursuant to Rule 404(b), Ladd requests adequate notice of such intention as well as the particulars of each item sought to be admitted as "other crime", "wrong" or "bad act" evidence. Such disclosure is necessary so Ladd may meaningfully review the evidence and seek its exclusion if prejudice requires. United States v. Climatemp, Inc., 482 F.Supp. 376, 391 (N.D. Ill. 1979).

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH 0 2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

### CERTIFICATE OF DELIVERY

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Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdell by 3KW

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	
Plaintiff,	
VS.	No. 89-CR-83-E
LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,	) ) ) ) ) ) ) ) )
Defendants.	)

DAVID ROYSE LADD'S MOTION AND
BRIEF FOR THE GOVERNMENT TO AFFIRM OR DENY
LLLEGAL ELECTRONIC SURVEILLANCE

Defendant David Royse Ladd ("Ladd"), through counsel, invokes his right to have the United States of America (the "government") affirm or deny whether he has been subjected to illegal electronic surveillance. See 18 U.S.C. § 3504.

If the government has engaged in, or been aided by, any wrongful act in so intercepting his private conversations, Ladd has a right to know and seek redress. Alderman v. United States, 394 U.S. 165 (1969); United States v. United States District Court., 407 U.S. 297 (1972); United States v. Williams, 580 F.2d 578, 583 (D.C. Cir. 1978); United States v. Sinclair, 321 F.Supp. 1074, 1076 (E.D. Mich. 1971).

The government must respond by affidavit or sworn testimony after diligent search and inquiry. Williams, supra, 580



F.2d at 584; In Re Maury Santiago, 533 F.2d 727, 729-30 (1st Cir. 1976); United States v. Aloi, 511 F.2d 585, 602 (2nd Cir.), cert. denied, 423 U.S. 1015 (1975); United States v. Stevens, 510 F.2d 1101, 1104.06 (5th Cir. 1975); United States v. Van Drunen, 501 F.2d 1393, 1399 (7th Cir.), cert. denied, 419 U.S. 1091 (1974); United States v. D'Andrea, 495 F.2d 1170, 1174 n.12 (3rd Cir.), cert. denied, 419 U.S. 855 (1974). See also In Re Turgeon, 402 F.Supp. 1239, 1240-41 (D. Conn. 1975); cf., United States v. Hearst, 412 F.Supp. 863, 869 (N.D. Cal. 1975).

This relief is requested in order that Ladd may exercise his constitutional and statutory rights to be free of illegal searches and seizures by electronic means.

Respectfully submitted,

John E. Dowdell (u)
NORMAN & WOHLGEMUTH (

2900 Mid-Continent Tower Tulsa, Oklahoma 74103 (918) 583-7571

Attorney for Defendant, David Royse Ladd

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United States Courthouse
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Tulsa, OK 74103

- 3 -

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 89-CR-83-E ✓

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD )
and MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO COMPEL DISCLOSURE OF THE EXISTENCE AND SUBSTANCE OF PROMISES OF IMMUNITY, LENIENCY OR PREFERRED TREATMENT

)

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court to order the United States of America (the "government") to produce the following information:

(1) The existence, substance, and the manner of execution or fulfillment of any promise, statement, agreement, understanding, or arrangement, either verbal, written or implied, between the government or its agents and any prosecution witness, or his or her attorneys or representatives, for the purpose of obtaining the person's testimony, cooperation or provision of information to the government, wherein the government has agreed to any of the following:

(a) not to prosecute the person for any crime or crimes;(b) not to prosecute a third party for any crime or crimes where the reason for not prosecuting the

third party is the consideration to the person;

- (c) to provide a formal grant of statutory immunity, or to provide an informal assurance that the person will not be prosecuted in connection with any testimony, cooperation, or information given by him or her;
- (d) to recommend leniency or a particular sentence for any crime or crimes for which he or she stands convicted or is expected to be convicted;
- (e) to comply with any prior agreements although the witness may have previously violated a part of his agreement;
- (f) to provide favorable treatment or consideration, that is, money, a job, a new location, a new start, etc., to the person himself or to friends or relatives of this person in return for his or her testimony, cooperation, and provision of information;
- (g) to make any recommendation of benefit to the person to any state or federal agency; and
- (h) to make any other recommendation of benefit, or to give any other consideration to the person or friends or relatives of the person.
- (2) The substance and manner of execution of any threat of prosecution or intimidation in any way by any government agent, or other person acting on behalf of the government, to a witness concerning the giving or not giving of any testimony, cooperation or information in this case.
- (3) The existence, substance, and manner of execution of any of the above matters relative to witnesses with regard to

state agents and federal agents.

(4) Any statement or information showing that any government witness participated in any manner in any of the offenses charged in the indictment.

Such matters are extremely relevant to the credibility of the witnesses and failure to disclose such individuals and the circumstances of their cooperation violates Ladd's Fifth and Sixth Amendment rights. See e.g. Giglio v. United States, 405 U.S. 150 (1972); United States v. McCrane, 527 F.2d 906 (3rd Cir. 1975), aff'd. after remand, 547 F.2d 205 (1976); Lewinski v. Ristaino, 448 F.Supp. 690 (D. Mass. 1978).

Such disclosure should be made prior to trial so that appropriate defense preparation can be made. Moreover, under the circumstances of this case, disclosure would not be a disadvantage to the government.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH 2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

### CERTIFICATE OF DELIVERY

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Jack Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdel

Sowdell by sow

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff.

Vs.

No. 89-CR-83-E ✓

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

Defendants.

## DEFENDANT DAVID ROYSE LADD'S MOTION TO PRODUCE AND MEMORANDUM BRIEF IN SUPPORT THEREOF

)

Defendant David Royse Ladd ("Ladd"), respectfully moves Court to order the United States of the America (the "government") to produce for Ladd's inspection and/or reproduction any material that could reasonably effect a determination of his guilt or innocence, reduce punishment, is relevant to the subject matter of the charges, or which may, in any manner, assist Ladd, whether or not the government considers such material admissible at trial, or is exculpatory in nature. See Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and Rule 16 of the Federal Rules of Criminal Procedure. materials should include, but are not limited to, the following:

1. Any and all statements, confessions or reports in the

possession of, accessible to, or known to exist by the government made by agents of the Federal Bureau of Investigation, or any other agency of the United States, and any other person or persons, whether or not employed by the government, including Mr. Ladd, or any other law enforcement or investigative agency under Rule 16 of the Federal Rules of Criminal Procedure.

- 2. The substance of any oral statement which the government intends to offer in evidence at the trial made by Ladd in response to interrogation by any person then known to Ladd to be a government agent.
- 3. Any and all exhibits and charts that the government intends to introduce into evidence in the trial in this matter, including, but not limited to, books, papers, schedules, documents, photographs, statements, ledgers, bank accounts, telephone records, tape recordings, prospecti, checks, records of deposits, financial statements, cost studies, minutes of meetings or other tangible objects which are intended for use by the government as evidence in chief at the trial (including any bank records, credit applications and records, stock records, and correspondence) which were obtained from, belong or relate to the Defendant, Ladd.
- 4. Stenographic or electronic recordings or transcriptions of oral statements made by any person or any agent of the government or the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.

- 5. Any tape or other audio recordings or statements made by any person to any agent of the government or to agents of the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.
- 6. Any transcript of any statement made in the office of the Attorney General of the United States for this district or any federal district of Ohio or any Oklahoma or Ohio District Attorney, in possession of or accessible to the government during their investigation concerning the subject matter herein, whether or not the government intends to call or utilize them at trial and whether or not the statements were recorded.
- 7. The names and addresses of all persons who may have some knowledge of the facts involved in the instant case.
- 8. Written or recorded statements or summaries of any such statements not recorded made by Ladd in this case, copies of any statements, admissions, confessions or declarations against interest verbatim or otherwise which may have been made by Ladd and the name of the person taking such statements.
- 9. The original reports of the arresting officers in this case.
- 10. Any and all evidence held by any agency of the government which may be exculpatory or in any way favorable to the Defendant.
- 11. Any information received by electronic or other surveillance of Ladd, his premises, both home and business(es).

other individuals involved herein and/or their premises.

- 12. Any physical or tangible objects in the possession of the government or known to be in the possession of any governmental agency, including, but not limited to, any items taken from Ladd's person or his property.
- 13. A list of all witnesses that may be used by the government in the trial of this matter.
- 14. Any and all materials, exhibits or documents furnished or presented to the Grand Jury and Panel to hear this cause of action.
- 15. A copy of the prior criminal record of Ladd, if any, and all criminal reports of government witnesses; all evidence tending to impeach witnesses for the government, all evidence tending to support Ladd's innocence; statements of all witnesses whose testimony would be favorable to Ladd; all lab tests and physical or mental examinations conducted on behalf of the prosecution whether such examinations were favorable to the government, to Ladd, or neutral; all grants of immunity or promises made to government witnesses, including any plea agreement; information regarding any monies paid to witnesses of the government, including, but not limited to, rewards, subsistence payments, expenses or payments made for specific information supplied to the government; any assistance given to any government witnesses; information concerning any criminal charges pending against any government witnesses; information concerning any criminal activity in which any government

witnesses have engaged which has not resulted in prosecution or conviction; any prior and inconsistent statements of any government witnesses; any statement of any person which is contradictory or inconsistent with the expected testimony of a government witness on a material or substantial matter regardless of whether the prosecution intends to call the person as a government witness, and any documentary evidence which the prosecution might have which contradicts or is inconsistent with any witnesses' expected testimony on a material or substantial matter.

16. Defendant further moves that this Court order the government to produce all materials which (a) may become known or through the exercise of due diligence may be learned; (b) may be exculpatory or favorable to the accused or which may lead to information that is exculpatory or favorable to the accused; (c) tends to negate his guilt for charges alleged or would tend to reduce the punishment; and (d) produce any information which may become known or, through the exercise of due diligence may be learned, that is subject to discovery under any of the above paragraphs.

WHEREFORE, premises considered, Defendant David Royse Ladd urges that his Motion to Produce be granted and that the government be required to produce all materials required herein above.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH // 2900 Mid-Continent Tower

Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

#### CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdel

EEC 11 1930 04

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD )
and MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF FOR DISCLOSURE OF GOVERNMENT'S INTENTION TO USE EVIDENCE

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court, pursuant to the provisions of Rule 12(d)(2), to require the United States of America (the "government") to disclose any evidence that the government intends to use as its evidence in chief at trial so that Ladd may have the opportunity to move to suppress such evidence under the provisions of subdivision (b)(3) of Rule 12 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

#### CERTIFICATE OF DELIVERY

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Jack Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdel

INFORMATION SHEET
, 1989, Before Magistrate: Wagner ( ) Wolfe ( )
Case No. 89-C12-83-05-8
UNITED STATES OF AMERICA V.
Defendant's Age 30 Sex My Date of Birth 7/9/59 NOV 27 1989 A
Defendant's Address 2100 Hazers sur to rek C. Silver, Clerk
CANTON ONIO YYTZ IS DISTRICT COURT
appeared tere 11/27 (Phone #1216/452-0-/25
Date of Arrest 11/9/8 Arrested by Pore 10 - NS/04
Bail Fixed \$ /0,000 (Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$ 10,000 (Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made
Travel restricted to ND/OK andOH,  ( ) Refrain from possession of firearm, etc.  ( ) Successful participation in drug screening  ( )
Preliminary Exam: Date Scheduledat
Arraignment: Date Scheduled at
Defendant Requests Public Defender: yes ( no ( )  Defendant's Attorney:     Defendant's Attorney:   Defender: yes ( no ( ) )
(Phone #)
Attorney for USA: Jack Money
Remarks:
FPD executed Bond Set @ \$10,000 U/s;
Cond. of Release executed; senter plea
of N/6" dates to be mailed

( ) Defendant remanded to custody of U. S. Marshal.

40

## FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	N UNITED STA	LOCATIONINIME
<u></u>		Vs. No. 27 1989
CH.	ARGE/OFFENS	Defendant—Adult   Ork   Spoker Nothings   Magistrate   Old   Magistr
	M	Than PHETAMULE
	EMPLOY- MENT	Are you now employed? Yes No Am Self Employed  Name and address of employer:  IF YES, how much do you earn per month? \$ / 2 no
ISSETS -	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes PRO SOURCES  IF YES, GIVE THE AMOUNT  RECEIVED  THE SOURCES  THE SOURCES
	CASH	Have you any cash on hand or money in savings or checking account Ves \( \subseteq \text{No} \) IF YES, state total amount \$(80)
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No  VALUE  DESCRIPTION  DESCRIPTION  DESCRIPTION
BLIGATION Debts	DEBT MON BILL (LIST ALTORS, IF BANKS, PANIES,	THLY OR HOME: KEUT + UTILITIES \$ \$580  L CREDI- CLUDING LOAN COM- S \$
		NATURE OF DEFENDANT OR PERSON REPRESENTED)

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

IN THE UNITED STATES DISTRICT COURT F I E D

UNITED ST	ATES OF AMERICA,	NOV 27 1989
	Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
vs.		) NO. 89-CR-83-05-E
DAVID ROY	SE LADD	)
		)
	Defendant(s).	) )
	ORDER APPOINTIN	IG COUNSEL
counsel, is/are fithe North	mpleted an allidavit as t and upon review, the Cou nancially unable to obtair	o financial ability to employ rt finds that the affiant(s) counsel. In accordance with a Plan for Implementing the
IT IS	HEREBY ORDERED that the:	
[]	Federal Public Defender is the following: all further proceedings un order of the court.	s appointed to represent in nless and until relieved by
	Federal Public Defender siname(s) of a private attomecessary, for appointment following:	hall forthwith furnish the rney or attorneys, as to represent the
[]	Defendant will reimburse reasonable cost of providaccordance with his/her alby further order of the co	ing representation in bility to pay as determined
[]	Federal Public Defender is to represent the following	s temporarily appointed g:
	for purposes of initial a	ppearance only.
Dated this	JEFFNEY S. UNITED STA	WODFE MAGISTRATE
Cler! Unite	ral Public Defender (file) ed States Attorney ndant(s)	

FILED IN OPEN COURT NOV 2 9 1989

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk

UNITED STATES OF AMERICA,	No. 89-CR-83-04-E
Plaintiff, )	PETITION TO ENTER PLEA OF GUILTY AND
BARBARA ANN MARTENEY, )	ORDER ENTERING PLEA (Federal Rules of
Defendant.	Criminal Procedure, Rules 10 and 11)

#### The defendant represents to the Court:

- (1) My full true name is: BARBARA ANN MARTENEY.

  I am 34 years of age. I have gone to school up to and including 1 YEAR OF COLLEGE. I request that all proceedings against me be in my true name.
- (2) I am represented by a lawyer; his/her name is:

  RUNALO C. BENNETT.
- (3) I received a copy of the Indictment before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
- (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. I believe that my lawyer is fully informed on all such matters.
- (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s)  $\mathcal{I}$

ALUNG WITH MY FATHER LOREN EUGENE HALL, SR.,

AND OTHERS I CONSPIRED TO POSSESS METHANPHETAMINE
WITH INTENT TO DISTRIBUTE. I SOLD METANPHETAMINE
AND DELIVERED MONEY THEREFROM TO MY FATHER IN

1987. I FURTHER INTRODUCED MY FATHER TO "COOKS"

(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

FOR THE PURPOSE OF MANUFACTURING METHANPHETAMINE
SOME ACTS BY OTHER CONSPIRATORS WERE COMMITTED

IN THE NORTHERN DISTRICT OF OKLAHOMA.

<u>NOTE</u>: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$ / 000 000 .

  My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def. \$500,000 \$500,000 \$200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$ 50.0000 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least 3 5 years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seg. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)
USE IMMUNITY / SUBSTANTIAL ASSISTANCE UNDE
NULE 35(6) IF DONE   NO FURTHER CHARGES IN  CONNECTION WITH THIS CONSPIRACY.  If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.
I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".
(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.
Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:
USE IMMUNITY SUBSTANTIAL ASSISTANCE IF  DONE NO FURTHER CHARGES IN CONNECTION  WITH THIS CONSPIRACY
DONE NO FURTHER CHARGES IN CONNECTION
WITH THIS CONSPIRACY
I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".
(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:
CHARLES THE THE THE THE

"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_\_\_, "NOT GUILTY as charged in Count(s) \_\_\_\_\_\_."

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:
NONE
(If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)  NONE
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this day of, 19
Subscribed and Sworn to before me this 49th day of
Cendy Smith Deputy Clerk

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant BARBARA ANN MARTENEY, hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

NONE

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 29th day of November , 1989.

Attorney for the Defendant

#### ORDER

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this 29 TE day of Woombee,

WITED STATES DISTRICT JUDGE





United States Attorney
Northern District of Oklahoma

3600 United States Courthouse 333 West 4th Street Tulsa, Oklahoma 74103 918/581-7463

October 25, 1989

Mr. Ronald C. Bennett Attorney at Law P.O. Box 14070 Tulsa, Oklahoma 74159

Re: United States v. Barbara Ann Marteney, No. 89-CR-083-04-E Northern District of Oklahoma

Dear Mr. Bennett:

Pursuant to our discussions, and Barbara Ann Marteney's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Ms. Marteney currently stands charged with one count of violating Title 21, U.S.C. §846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000 fine, a \$50.00 special assessment, and a minimum term of three years to five years supervised release.



Mr. Ronald Bennett, Esq. October 25, 1989
Page 2

Timely acceptance of responsibility (§3E1.1) allows a 2 point level of reduction, if she agrees to the following:

- Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
- Voluntary termination or withdrawal from criminal activity or associations;
- 3. Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the offense related conduct.

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable her significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, Barbara Ann Marteney concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and her plea of guilty to the above referenced Indictment, the government will not subject her to additional federal criminal prosecutions for any criminal acts she committed in connection with such conspiracy, and will grant her immunity for the use of her disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§5K1.1), if she has in fact done so, thereby allowing the court to a downward departure from the quidelines.



Mr. Ronald Bennett, Esq. October 25, 1989
Page 3

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and her complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon her complete cooperation with any and all government investigations concerning the above-referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, she agrees to make herself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require complete, candid and absolutely truthful disclosures by your client in response to any and all questions or inquiries that may be put to her in connection with such investigations, actions or proceedings, whether in interviews with federal, state or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should she knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to her concerning her freedom from additional criminal prosecutions as set forth above. In that event, she could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.



Mr. Ronld Bennett, Esq. October 25, 1989
Page 4

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM

United States Attorney

OHN S. MORGAN

Assistant United States Attorney Organized Crime Drug Enforcement

Task Force (OCDETF)

BARBARA ANN MARTENEY

Defendant

RONALD C. BENNETT

Attorney for Defendant

JSM:ddb

Nov 29 1889

non 29 1989

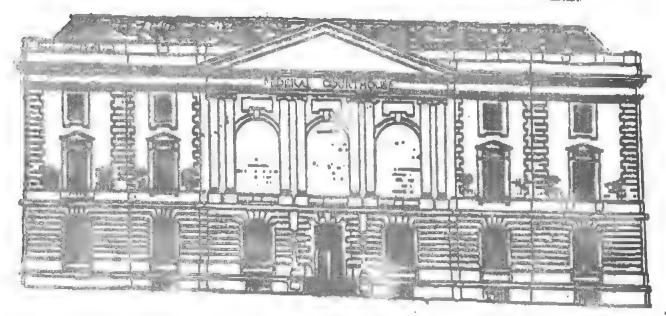
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#### United States Bistriet Court Northern Bistrict of Ohio

Office of the Clerk 31. S. Couet Hauge Cimeland, Ohio 1-1111 .2161 322-1333

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#### TELECOPY MESSAGE

DATE:	11.72.81
Pietor	hand-usliver the following telecopy to:
KAME:	Mrs. S. Wolfe a office
	for 11-27-9:00 lug!
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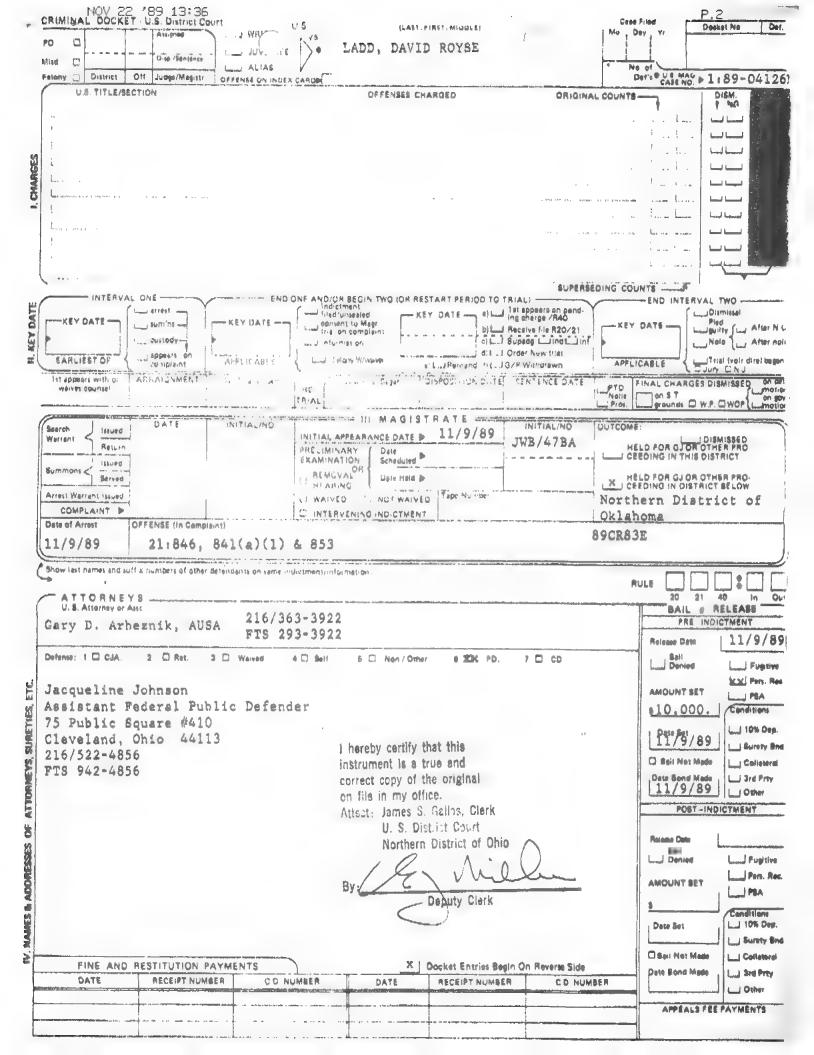
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TOTAL NUMBER OF PAGES (including cover sheet):

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Please call immediately if the telecopy you receive is incomplete or illegible. The telephone number is Thank you.

FTS 8-942-4355



I.	YUV	4:   Control for   Dat	Ρ.	3 -	
DATE		MASTER DOCKET MULTIPLE DEPENDANT CASE	VI EXCLU	,	E .
DOCUMENT NO	_\_	PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	Stort Date End Date	Guer Guer	Total Days
		IOPTIONALI SANGINI ANTONO OF MINISTRALIA V. PROCEEDINGS	**		
1/9/89	1	TRUE COPY of indictment from Northern District of Oklahoma 89CR83E 6p ejm			
1/9/89	2	MINUTES of proceds. Bartunek, M. 89-26-B 296/1021 (R.40 app; FD appointed; bond set \$10,000 unsecured:			
L/9/89	13	next hearing in Oklahoma 11/27/89 9:00) 1p ejm WAIVER of R. 40 hearing (ID) executed. 1p ejm			
/9/89	4	WAIVER of R. 40 hearing (ID) executed. 1p ejm ORDER setting conditions of release. Bartunek, M. 3p ejm			ĺ
		(travel restricted to the Northern District of Ohio;			
/9/89	5	deft to report on a regular basis to PSA)			
7 9 7 0 9		APPEARANCE BOND executed (\$10,000. unsecured) Bartunek, M. lp sjm			
/9/89	6	RETURN on warrant; deft arrested 11/9/89 ip ejm			
/21/89	7	COMMITMENT to another district (in the event and only in the event the deft. fails to appear on 11/27/9:00			ı I
		before Magistrate J. Wolfe) Bartrunek, M. 1p ejm			;
			4		
	1				
				1	
		t heraby cartify that this			
		I hereby certify that this instrument is a true and			
		correct copy of the original			
		on file in my office.			
		Attest: James S. Gellas, Clerk			
		U. S. District Court Northern District of Ohio			
		By: CE Vulle			
		By: Ce Vulla Deputy Clerk			
		CONTINUED TO PAGE			

	*
DATE 11-9-89	CASE NO. 7189.4126
News David Royce Lade	
Address	Charge Read Rights Read History Taken
Resident Of Dist.	Bond Set At \$10000 P FSA
	AUSA Present for Rebegnil
Own Rent Other Telephone	Defense Counsel Jackie Johnson
Marital Status Depend.	Address
Employment Cano Fulton	
	Federal Defender Appointed
Later singl	Counsel Appointed (CJA)
How Long 3 New Met Selery 3300	Defendant Ordered To Pay \$ per m to Clerk of Court to apply toward attorney
Other Income	to Clerk of Court to apply toward attorney fees commencing
Pravious Convictions:	Counsel To Be Retained .
What	Defendent to advise Mag. by if unable to retain counsel.
Where	Gov. orally moved for mt detention
When .	CONTINUED TO: 1/27/88 at 4.000  FOR: Preliminary Hearing
The state of the s	
Sentence	Removal Hearing 5 1 1
On Parole or Probation	First Appearance with Counsel 5
Pending Cases:	Hearing on gov's motion for
	At
What	Other O'clock
Where	Hearing Requested U.S. Gradespour recentmen
Bond	Preliminary Waived 571.00
Taxe # 89-26-13	396 - 10 2+hereby certify that this
	instrument is a true and correct copy of the original
	on file in my office.
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Attest; James S. Gallas, Clerk U. S. Diot. Et Court
ARREST DATE: //9/99	Northern District of Ohio
1//0/	Contact & Mol
	Deputy Clark Deputy Clark

### United States Bistrict Court

FILED

MOW 9 1989

NORTHERN

DISTRICT OF \_

OHIO

CLERK OF COURTS
U. S. District Court, N.D.O.

UNITED STATES OF AMERICA

David R. Lada

WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

Case Number: - 89 - 4/26

I, Javie R. Bade , understand that in the Morkher District of Oklahomo, charges are pending alleging violation of 21846, 841 (2) (1)853 and that I have been

arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20. Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

#### I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

( ) identity hearing

- ( ) preliminary examination
- ( ) identity hearing and have been informed I have no right to a preliminary examination
- ( ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

I hereby certify that this instrument is a true and correct copy of the original on file in my office.

Actort: James S. Gallas, Clerk U. S. Dict.ist Court

Northern District of Ohlo

BY CENTAIDO.

Desense Counsel

a. Johnson

11-9-89

Deputy Clark

# United States Bistrict Count-9 PN 4-50

NORTHERN

. DISTRICT OF

OHIO, EASTERN DIVISION

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS
OF RELEASE

Case Number. M 88-4126

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified)

Date and Time

#### Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that

( V ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

I hereby certify that this instrument is a true and correct copy of the original on file in my office.

Attest: James S. Gallas, Clerk U. S. District Court

Northern District of Ohio

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Page CX	01-1	anget

CLERE AS DESCRIPTION

#### Additional Conditions of Release

1999 NOV -9 PM 4: 50

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community. It is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(	) (6)	The (Na	e defendant is placed in the custody of: ame of person or organization)
		-(A)	
whhrm	Hanre	s (a cot	ty and State) (Tel. No.)  ) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant anditions of release or disappears.
			Signed:
			Signed: Custodian or Proxy
( L	()	(a) (b)	e defendant shall: maintain or actively seek employment. maintain or commence an educational program abide by the following restrictions on his personal associations, place of abode, or travel: travel restricted to the Northern District of Ohio
	( )	(d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
	(~)	(e)	report on a regular basis to the following agency 4 3 A.
	( )	(f)	comply with the following curfew:
	()	(g) (h)	refrain from possessing a firearm, destructive device, or other dangerous weapon. refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. \$802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	( )	(j)	execute a bond or an agreement to forfest upon failing to appear as required, the following sum of money or designated property:
	( )	(k)	post with the court the following indicis of ownership of the above-described property, or the following amount or percentage of the above-described money:
	( )	(1)	execute a ball bond with solvent sureties in the amount of \$
	()	(m)	o'clock for employment, schooling, or the following limited purpose(s):
	1	(0)	surrender any passport to

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. \$1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation. 18 U.S.C. \$1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant, and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 time to retain a witness, victim or informant, or threaten or attempt to

It is a criminal offense under 18 U.S.C. §3146, it after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari

after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be

fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both; (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant Address

City and State

#### Directions to United States Marshal

The defendant is ORDERED released after processing. The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in curtody,

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# United States Bistrict Court

DISTRICT OF CHIO, EASTERN DINOSION FM

NORTHERN DISTRICT OF CHEC CLEVELAND

UNITED STATES OF AMERICA

APPEARANCE BOND

CASE NUMBER: -M 89-4/26

Non-surety: I, the undersigned defendant acknowledge that I and my  Surety: We, the undersigned, jointly and severally acknowledge that we and our
personal representatives, jointly and severally, are bound to pay to the United States of America the sum of
s and there has been deposited in the Registry of the Court the sum of
s
The conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of this bond are that the defendant of the conditions of the conditio
THE CONCINCUS OF THIS DOLLO BLE THAT THE ADMINISTRA
is to appear before this court and at such other places as the defendant may be required to appear, in accordance
with any and all orders and directions relating to the defendant's appearance in this case, including appearance followers
violation of a condition of defendant's release as may be ordered or notified by this court or any other unity
States District Court to which the defendant may be held to answer or the cause transferred. The defendant is
to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying
any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and If the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated. together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States

Tibligg or dillilling it idopated and any array.	
This bond is signed on Defendant	Address 2100 Harrisburg Rd Carten C Address 2100 Harrisburg Rd Carten C
Surety.	Addjess.
Signed and acknowledged before me in	Meby certify that this /paie rument is a true and act copy of the original lits in my office.  It: Jumas S. Suitra, Clerk  U. S. Dictrict Jumas of Ohio
B	CEN Vino O

#### COMMITMENT TO ANOTHER DISTRICT

10/82)	(Rule 40, Federal	Rules of Criminal Procedure)	
United S	States Bistrict Covil	Northern District	of Ohio, Eastern Division
	TED STATES OF AMERICA  V.  ID ROYCE LADD, et. al.	89 CR 83E Northern District MAGISTRATE CASE NO. M89 4126	of Oklahoma
CHARGES AGAINST THE	DEFENDANT ARE FILED BASED UPON AN D information D complaint	Other (specify)	
charging a violation of	21 U.S.C. §846 and 841	(a)(1)	
	trict of Oklahoma		DATE OF OFFENSE 9/87 through 2/16/89
DESCRIPTION OF CHARG	2E8:		
			# 666 1200 P
BOND IE FIXED AT	al alaba manahada P	1 1	C. 27 E. C. 1
\$ 10.000 Busechle	d with pretrial services supp		
		DISTRICT	
TO: THE	UNITED STATES MARSHAL		
specified ab some other defendant	re hereby commanded to take custo ant with a certified copy of this core over and there deliver the defendant officer authorized to receive the defails to appear on November as a, Oklahoma before Magistrational Certification (1989)	mmitment forthwith to the to the United States Marsi fendant, in the event an 27, 1989 at 9:00 a.m., te Jeff Wolfe.  United States Judge or Magist Joseph W. Bartunek	distric f offense as the hal for the District or to don't he event the Room 4536, U.S. Court-
	I hord	ETURN that this	
	received and executed as follows: CO file	copy of the original in my office.	
ATE COMMITMENT ORD	PLACE OF COMMITA	D. S. Date to Note !	DATE DEFERDANT COMMITTED
CATE UNI	TEO STATES MARSHAL	Will O	MARSHAL
		Deputy Clerk	

## United States District Court

	CASE NUMBER:	NOTICE
	CASE NUMBER:	NOTICE
	CASE NUMBER:	NOTICE
	CASE NUMBER:	
	OAGE HOMBEN.	89-CR-83-05-E
		07 CR -03-03-15
VIL		
in this case has been	set for the place date, a	nd time set forth below:
	ROOM NO.	
	COURTROOM #	2
	DATE AND TIME	
	JANUARY 16,	1990, 9:30 A.M.
in this case has bee	en continued as indicated	1 below:
ND TIME PREVIOUSLY ULED	CONTINUED TO, DATE AND TIME	

To: FPD

Defendant Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 12-11-89

GOVERNMENT RESPONSES DUE: 12-21-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 12-27-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 1-3-90, 1:00 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 1-9-90

#### MINUTE SHEET - SENTENCING

	CR. CASE	NO. 8Q-CR-83-06
DATE 11-21-89 U	SA vs. Michael Oters	n Nace (AGE)
	SENTENCING	
JUDGE COOK DO  JUDGE ELLISON DO  JUDGE BRETT DO  JUDGE DO	eputy R. Miller eputy McCullough eputy Overton eputy Lastama	Reporter Simpson Reporter Dorrough Reporter Caslavka Reporter
Counsel for Plaintiff	- lack monagin	
Counsel for Defendant _		opointed; (FPD)
MINUTE: Enter as above.		
Defendant appears in pe	rson with counsel.	Counsel waived.
Defendant and counsel as pronounced, and no cause	sked if they care to say e to the contrary being s	anything before sentence is shown,
Sentenced to the custody	y of	as to Counts
Imposition of sentence	suspended - Probation	as to Counts
150.00 SA - 1000t	sup release no fine to designate institution	1-2-90 by 12:00 bond remains
18:3553 Findings re PSI	/Sentence made, Transcrip	ot Ordered
Sentence re: Guideline Findings Made	es; within same; Departur	re; Upward/Downward,
Bond Exonerated.		
Defendant advised of ric	ght to appeal.	
Defendant gives oral no	tice of appeal.	
3 DD 7 M 7 C111		
ADDITIONAL MINUTES:		
		*
		V
CR-3:6/89		

UNITED STATES DISTRICT COURT FOR THE 89 not 26 All: Worthern district of oklahoma

OCT 2.5 1989

NO... D'STRICT

Jack C. Silver, Clerk U. S. DISTRICT COURT

UNITED STATES OF AMERICA.

Plaintiff,

vs.

KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, Defendant. No. 89-CR-83-02-E

WAIVER OF EXTRADITION TO KANSAS

Jack C. Cher. John U. S. DISTRICT COURT

COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

Subscribed and sworn to before me this 25th day of Ontakon

1989.

APPROVED:

U.S. District Judge
United States District Court )
Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file

in this Court.

Jack C. Silver, Clerk

Morgan, Asst. U.S. Attorney

Stanley Glenn Attorney for Deft.

#### MINUTE SHEET - SENTENCING

		CR.CASE NO	89-CR-83	2-03
DATE	USA vs. doico Eu	igeni Wall,	fr. (AGE)	
			V	
	SENTEN	CING		
JUDGE COOK JUDGE ELLISON JUDGE BRETT JUDGE	Deputy R. Miller Deputy McCullough Deputy Overton Deputy Lotama	Repor Repor Repor Repor	ter Simpson _ ter Dorrough ter Caslavka	
Counsel for Plaintiff	Jack Morgan			
Counsel for Defendant	Allerik Brooks	Jun Heale	Ped · FPDS)	
MINUTE: Enter as above		Court appoint	- Wasself	
Defendant appears in p	person with counsel	<u>.</u> •	Counse	el waived.
Defendant and counsel pronounced, and no cau	asked if they care	to say anyth being shown,	ing before se	ntence is
Sentenced to the custo	ody of	a	s to Counts _	
Me months no fine	5 yes super no	coase \$50 S	H	
Imposition of sentence				
18:3553 Findings re PS	I/Sentence made, I	ranscript Ord	ered	
Sentence re: Guideli Findings Made	nes; within same;	Departure; Up	ward/Downward	• 1
Bond Exonerated.				
Defendant advised of 1	right to appeal.			
Defendant gives oral m				
Appeal bond set at	(cash or surety)			
Remanded to custody of				
ADDITIONAL MINUTES:				
				X
		·		

CR-3:6/89

CJA	20 (Int 1/88) APPOI	NTMENT	OF AND AU	THORITY	TO PA	AY COUR	T APPOIN	TED CO	UNSEL	
1	URISDICTION 3	APPEALS		2. MAG. DOCK		). 3, DI	ST. CT. E	NO. VO	UCHER N	01 F 4 0 0 F
	MAG. 2 DIST. 4 D						9-CR-83-E	•		0154895
4. A	PPEALS DOCKET NO.	ND OKL	RICT/CIRCUIT)	OKETU		7. CH	21:846		r other itation)	7A. CASE CODE 68
8. 1	N THE CASE OF	s Dav	rid Ladd		9. PE		RESENTED (F	ULL NAME	)	9A. NO. REPRES.
	PERSON REPRESENTED		4. 0		11.P	ROCEEDING	GS (Describe b	riefly)		
	1 DEFENDANT-ADUL 2 DEFENDANT-JUVE			OTHER		433	-			
	PAYMENT CATEGORY		_	*		WIT	Proceedi	DES T	T 1	ED
		PETTY		OTHER				L T	L	E D
	B MISDEMEANOR D	APPEAI								1.4
13.	COURT ORDER O Appointing Counsel	- <b>-</b>		na fau Danat Su				NO	V 28	1QAQ
				os. for Panel Att	у		Name of p	rior panel a	ttorney	1707
	C Co-Counsel R Su					Date			oucher N	
	Because the above-named "p otherwise satisfied this court counsel and (2) does not wis justice so require, the attorn represent this person in this	that he or sh h to waive co ey whose nar	ne (1) is financially ounsel, and because	y unable to empl e the interests of	оу	John	of Attorning Address  E. Dowde	14.S. D	ISTRIC	COURT
			•	Marie de la communicación de la compansión de la compansi	shirt ton		a, Oklaho			
	Sig. of Presiding J	udicial Offic	er or By Order of	Court (Clerk/De	puty)					
	November 28, 1			, , , , , , , , , , , , , , , , , , , ,	,,					
				* *			HONE NO.	1	6. SOC. S	
	Date of Order			Tunc Date			83-7571		442-60	)-3716
			CLAIN	I FOR SERVI		REXPENS				
7 1	SER	VICE		HOU	RS		DATES	5		fultiply rate per hou
17.	a. Arraignment and/or Plea									imes total hours to btain "In Court"
-	b. Bail and Detention Hearing	ngs							C	ompensation.
-	c. Motions Hearings								E	inter total below.
<u>-</u>	d. Trial									
٦	e. Sentence Hearings									
ο I z I	f. Revocation Hearings									
=	g. Appeals Court								1	7A, TOTAL IN COURT COMP.
-	h. Other (Specify on additi									
_	(Rate per hour =		TOTAL HOURS	= '					\$	
8.	a. Interviews and conference					-			t	Aultiply rate per hou imes total hours.
SUR	<ul> <li>b. Obtaining and reviewing</li> <li>c. Legal research and brief</li> </ul>					_			C	inter total "out of ourt" compensation elow.
ᇬ	d. Travel time (Specify on a		notr)					*		A. TOTAL OUT O
5	e. Investigative and other w			ets)						COURT
			) TOTAL HOURS							COMI ENSATIO
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ES -										EXP.
EXPENSES									\$	
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<u>"  </u>							Ì			CLAIMED
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	CERTIFICATION OF ATTO			)			ТО			
= [	Final Payment     Inte	rim Payment	No.	proviously been	anritad	for?	s 🗆 NO			
⊓as If y	es, were you paid? YES	NO If ve	s, by whom were v	you paid?	appried	How much	1 <u>                                     </u>	Has the pe	erson repri	esented paid any
no	ney to you, or to your knowl	edge to anyo	ne else, in connec	tion with the ma	atter fo	r which you	were appointed	to provide	representa	tion? YES N
	es, give details on additional rear or affirm the truth or cor		he						-	
	ve statements	riectuess of (		E OF ATTORN	EY/PA	YEE			DAT	E
	22. IN COURT COMP.	23. OUT	OFCOURT COM				25. OTHER E	EXPENSES		TOTAL AMT.
Z	\$	\$		\$			\$		\$	APPROVED/CER
PAYMENT	27. SIGNATURE OF PRES	IDING JUDI	CIAL OFFICER	.'			DATE			A. JUDGE/MAG.
PA										CODE
QR.	28. SIGNATURE OF CHIE	F JUDGE, C	T. OF APPEALS (	OR DELEGATE	=)		DATE		29	TOTAL AMT.
L									\$	APPROVED

# United States District Court

	NORTHERN DIST	RICT OF OKLAHOMA
U.S.A.		
	V.	NOTICE
BARBARA ANN		CASE NUMBER: 89-CR-83-04-E
DARDARA ANN	PARTENET	CACE NOMBELL. 69-CK-63-04-E
TYPE OF CASE:	□ CIVIL	© CRIMINAL
TAKE NOTICE T	hat a proceeding in this case has bee	n set for the place date, and time set forth below:
PLACE U. S. COUR	THOUSE	ROOM NO.
TULSA OK		COURTROOM #2
		DATE AND TIME
TYPE OF PROCEEDING		JANUARY 26, 1990, 1:15 p.m.
TAKE NOTICE to	hat the proceeding in this case has be	en continued as indicated below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME
11-29-89		JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT  Beverly McCullough
DATE		(BY) DEPUTY CLERK

To: Defendant Ron Bennett Jack Morgan

10

	FILE D
IN THE UNITED STATES NORTHERN DIST	FRICT OF OKLAHOMA NOV 2 1989
UNITED STATES OF AMERICA.	Jack C. Silver, Clerk <sup>(</sup> U. S. DISTRICT COURT
•	)
Plaintiff,	) Criminal Case
VS. BARBARA ANN MARTENEY	) No. 89-CR-83-04-E
DARDARA ANN MARTENEY	
Defendant.	)
WAIVER	R OF JURY
I, the undersigned defenda	ant, having been fully apprised of
	jury and agree to try the above-
	provided by Rule 23(a), Rules of
Criminal Procedure.	
CONSENT OF GOVERNMENT:	Baliano a mastere
United States Attorney	Manual C. Bernett Attorney for Defendant
Signed and approved in ope	n Court this 29 day of
, 198/.	Janus Cllim
	UNITED STATES DISTRICT JUDGE

## United States District Court

JOV 2 1989 CH

NORTHERN District of OKLAHOMA

Silver, Clerk

UNITED STATES OF AMERICA V.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Loren Eugene Hall, Jr

Case Number 89-CR-083-003-E V

	(Name of Defer	ndant)	Jim He	slet
			Defendant	's Attorney
•	THE DEFENDANT:			
1	pleaded guilty to count(8) _	Count One of	a Single Count Indict	ment
	was found guilty on count(s plea of not guilty.	5)		after
	Accordingly, the defendant Title & Section		of such count(s), which invo	olve the following offense: <u>Count Number(s)</u>
1	USC 846 & 841(a)(a)	Possession	to Manufacture, With Intent to Methamphetamine	Count One
[	<ul> <li>□ The defendant has been for and is discharged as to such a count(s)</li> <li>□ United States.</li> <li>□ The mandatory special assets</li> <li>□ It is ordered that the defendance</li> </ul>	essment is include	(is)(are) dismi	ssed on the motion of th
	which shall be due immediant is further ordered that the days of any change of resinusces sments imposed by this coefendant's Soc. Sec. Number: 12-64-7511	e defendant shall dence or mailing ludgment are fully	paid.	tution, costs, and specia
٥.	12-64-7511		November 21, 1989	ition of Sentence
	Defendant's mailing address:		T. Impos	- de
	ll Overlook Drive		Signature of	Judicial Officer
D	erby, Kansas 67037		Signature of The Honorable Jan United States Di	
	Defendant's residence address:		Name & Title o	of Judicial Officer
	ame as above			
-				Date

Def Cas	fendant: Loren Eugene Hall, Jr. Judgment—Page <u>2</u> of <u>4</u> se Number: 89-CR-083-003-E IMPRISONMENT
imp	The defendant is hereby committed to the custody of the United States Bureau of Prisons to be prisoned for a term of Sixteen (16) months
	The Court makes the following recommendations to the Bureau of Prisons:
	The defendant is remanded to the custody of the United States Marshal.  The defendant shall surrender to the United States Marshal for this district,
	a.m.   at p.m. on
	□ as notified by the Marshal.
<b>X</b>	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons
	El before 2xpunx xxx 12:00 Noon on January 2, 1990
	<ul> <li>□ as notified by the United States Marshal.</li> <li>□ as notified by the Probation Office.</li> </ul>
	RETURN
	I have executed this Judgment as follows:

Ву\_

Defendant delivered on \_\_\_\_\_\_ to \_\_\_\_

\_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this Judgment.

United States Marshal

Deputy Marshal

Judgment—Page 4 of 4

Defendant: Loren Eugene Hall, Jr. Case Number: 89-CR-083-003-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer:
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered:
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm, or any other dangerous weapon.

  These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

ÀΟ	245	S	(3/88)	Sheet	3	-	Supervised	Releas
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Judgment—Page	3	of	4
		W 1 .	

Defendant: Loren Eugene Hall, Jr Case Number: 89-CR-083-003-E

#### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of. Five (5) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

N/A

CR-2:6/89

			C	R. CASE NO. 89-CR-83-04-E
DATE	-89	USA v	s. Barba	ra ann Marteney (AGE)
		ARRAIGN	MENT &/OR C	HANGE OF PLEA
JUDGE COOK		Deputy R	. Miller	Reporter Simpson
JUDGE ELLISON JUDGE BRETT _ MAG. WAGNER _		Deputy O	verton	Reporter Dorrough Reporter Caslavka Reporter
MAG. WOLFE			ayes_	
Counsel for Go	overnmer	nt	ack M	organ
Counsel for Do	efendant			ourt Appointed; FPD
Defendant app	ears in	person wi	th counsel;	without counsel; counsel waived
Defendant ack	nowledge	es receipt	of Indictm	ent; Information
Waives Indict	ment; ju	ry trial;	30 days pr	eparation; separate representation
Waivers appro	ved by (	Court		
Defendant adv	ised of	charge an	d arraigned	
		ing Indict ading waiv		mation; Superseding Information;
Enter plea of	Gul	te	as	to Counts /
	*	1		to Counts
Counts				to be dismissed at sentence
Petition to e facts of	nter ple	ea of guil; petition	ty sworn to	and executed; Defendant relates ea Agreement) approved and filed
Defendant adj	udged gi	ilty as c	harged in C	ounts
Findings re:	Plea A	greement;	Made/Reserv	red
Objections to	PSI to	be filed	by	
Rule 32 heari	ng set			
SENTENCE SET	Jan a	26, 1990,	1:15 P.m.	PSI ordered
				nd; Defendant remanded to USM result Sentencing to be assigned and all pre-trial motions hobotion office
		ment to re		ev
	Certif	ication of	Discovery	Disputes
	Pre-tr	ial confer	cence & hear	ring on motions at
				ted voir dire, inst. & trial briefs
				at

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED NOV 21 1989 Old

\_\_\_ No

INUTED OF ATEC OF A	MEDICA	,			
UNITED STATES OF A	MERICA,	)			Jack C. Silver, Cla
Plainti	ff,	)			No DISTRICT COLL
vs.		)	Crim. No. 89	P-CR-83-06-E	,
MICHAEL STEVEN HA	LL,	)			
Defend	ant.	)			
	MEMORANDUM AND REPORT O				
Counsel and the matters set forth were therein, were stated in					
1. Was th	ne presentence investig	ation repo	ort (PSI) review	wed by counsel :	and Defendant?1
				X Yes	No
2. (a)	Was information with	hheld purs	suant to FRCrF	9 32(c)(3)(A)?	
				Yes	X No
(b)	If yes, has summary h	been provi	ded by the Co	ourt pursuant to	FRCrP 32(c)(3)(B)?
				Yes •	No
3. (a)	Were all factual state	ements cor	ntained in the	PSI adopted wit	thout objection?
				X Yes	No

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

	(b)	Disputed issues have been resolved as follows af further submissions and/or arguments:	ter e	videntiary hearing,					
4.	Are any	y legal issues in dispute?	Yes	_X_ No					
	If yes,	describe disputed issues and their resolution:							
		*							
5.	(a)	Is there any dispute as to guideline applications history category, fine or restitution) as stated in	(such as o	offense level, criminal					
		_	X Yes	No					
		If yes, describe disputed areas and their resolution:							
		Dispute over amount of methamphetamine created during portion of conspiracy for which Defendant feels responsible. Resolved in favor of government.							
	(b)	Tentative findings as to applicable guidelines are	Ф Ф						
		Total Offense Level: 32  Criminal History Category: I  121 to 151 months imprisonment 3 to 5 years supervised release  \$ 280,000.00 to \$ 1,000,000.00 fine (plus cost of imprisonment/supervision  \$ n/a restitution  \$ 50 special assessment (\$	_  _ on each	of counts)					
6.	(a)	Are there any legal objections to the tentative fin	dings?						
			Yes	X_No					
	(b)	If no, the findings are adopted by the Court.							
	(c) If yes, describe objections and how they were addressed:								

	GIICCA	appropriate space.								
	<u>X</u> _	Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)								
	_	Defendant speaks on own behalf.								
	<u>X</u>	Remarks by counsel for Government.								
8.		The sentence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 as follows:								
	12	Months and one day imprisonment								
		Months/intermittent community confinement								
		Months probation								
	_5	Years supervised release								
	\$	\$ Fine (including cost of imprisonment/supervision)								
	\$	\$ Restitution								
	\$ <u>50.0</u>	\$_50.00 Special assessment (\$ on each of counts)								
	Other	Other provisions of sentence (Community service, forfeiture, etc.):								
		*								
9.	Check	Check appropriate space:								
	(a)	The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.								
	OR	The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:								
		*								
	(b)	X Sentence departs from the guideline range as a result of:								
		x substantial cooperation upon motion of the government								
		OR								
		a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken								

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

	(c)	Is restitution applicable in this case?	Yes	_ <u>x</u> No			
		Is full restitution imposed?	Yes	No			
		If no, less than full restitution is imposed for t	he following rea	sons:			
		*					
	(d)	Is a fine applicable in this case?	_x_ Yes	No			
		Is the fine within the guidelines imposed?	Yes	No			
		If no, the fine is not within guidelines or no fine is imposed for the following reasons:					
		Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or					
		Imposition of a fine would unduly burd	en the Defendan	t's dependents; or			
		Other reasons as follows:					
10.	Was a	plea agreement submitted in this case?	<u>x</u> Yes	No			
	Check	appropriate space:					
The Court has accepted a Rule ll(e)(1)(A) charge agreement because that the agreement adequately reflects the seriousness of the abehavior and accepting the plea agreement will not undermine purposes of sentencing.							
		The Court has accepted either a Rule ll(e)(1)(B) sentence recommendation (Rule ll(e)(l)(C) sentence agreement that is within the applicable guideline rai					
		The Court has accepted either a Rule ll(e)(l)(E) Rule ll(e)(l)(C) sentence agreement that deparrange because the Court is satisfied that such U.S.C. 3553(b).	rts from the app	olicable guideline			
11.	Suggest to this	tions for guideline revisions resulting from this cast report.	se are submitted	by an attachment			
			Yes	x No			

- 12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this Z/S day of November, 1989.

JAMES . ELLISON

UNITED STATES DISTRICT JUDGE

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

NOV 21 1989 OUT

					Jack	C. Silver, Clark
UNITED S	TATES OF A	MERICA,	)		US,	DISTRICT COLIRT
	Plaint	iff,	)		/	
VS.			)	Crim. No. 89-CR	83-03-E	
LOREN EU	JGENE HAL	L, JR.,	j			
	Defen	dant.	)			
matters se	t forth were	AND REPORTED AND R	ort of STAT	NTENCING HEARINEMENT OF REASON sentencing hearing reasons for sentence	NS g on <u>Nov. 21</u>	
		open court.				
1.	Was t	he presentence in	ivestigation re	port (PSI) reviewed	by counsel a	nd Defendant? <sup>1</sup>
					X Yes	No
2.	(a)	Was informatio	n withheld pu	rsuant to FRCrP 32	(c)(3)(A)?	
					Yes	X No
	(b)	If yes, has sum	mary been pro	vided by the Court	pursuant to F	RCrP 32(c)(3)(B)?
					Yes	No
3.	(a)	Were all factua	l statements c	ontained in the PSI	adopted with	nout objection?
					X Yes	No

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

skr

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

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7.	Check	Check appropriate space:							
	<u>X</u>	Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)							
	<u>X</u>	Defendant speaks on own behalf.							
	<u>X</u>	Remarks by counsel for Government.							
8.	The se as foll	ntence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 ows:							
	16	Months imprisonment							
		onths/intermittent community confinement							
		Months probation							
	_5	Years supervised release							
	\$	Fine (including cost of imprisonment/supervision)							
	\$	Restitution							
	\$ 50.0	Special assessment (\$ on each of counts)							
	Other	provisions of sentence (Community service, forfeiture, etc.):							
		*							
9.	Check	Check appropriate space:							
	(a)	The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.							
	OR	The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:							
		*							
	(b)	x Sentence departs from the guideline range as a result of:							
		x substantial cooperation upon motion of the government							
		OR							
		a finding that the following (aggravating or mitigating)							

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

	(c)	Is restitution applicable in this case?	Yes	_x_ No
		Is full restitution imposed?	Yes	No
		If no, less than full restitution is imposed for t	he following rea	asons:
		*		
	(d)	Is a fine applicable in this case?	xYes	No
		Is the fine within the guidelines imposed?	Yes	No
		If no, the fine is not within guidelines or no reasons:	fine is imposed	for the following
		<u>x</u> Defendant is not able, and even with the schedule is not likely to become able, fine; or		
		Imposition of a fine would unduly burd	en the Defendan	it's dependents; or
		Other reasons as follows:		
		*		
10.	Was a	plea agreement submitted in this case?	<u>x</u> Yes	No
	Check	appropriate space:		
	<u>x</u>	The Court has accepted a Rule ll(e)(1)(A) charge that the agreement adequately reflects the subshavior and accepting the plea agreement apurposes of sentencing.	eriousness of tl	he actual offense
		The Court has accepted either a Rule ll(e)(1)(l Rule ll(e)(l)(C) sentence agreement that is with	B) sentence reco	mmendation or a e guideline range.
	_	The Court has accepted either a Rule ll(e)(l)(E) Rule ll(e)(l)(C) sentence agreement that deparange because the Court is satisfied that such U.S.C. 3553(b).	rts from the app	plicable guideline
11.	Sugges to this	tions for guideline revisions resulting from this car report.	se are submitted	by an attachment
			Yes	x No

- 12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this 2/21 day of November, 1989.

JAMES O. ALLISON

UNITED STATES DISTRICT JUDGE

N

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)
Plaintiff,	100 10 1989 A
vs.	The state of the s
LOREN EUGENE HALL, JR.	( COURT
Defendant.	) No. 89-CR-83-03-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 11th day of September, 1989. His sentencing is currently scheduled for November 21, 1989 at 9:00 a.m.

This defendant, Loren Eugene Hall, Jr., has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM

United States Attorney

JOHN S. MORGAN

Assistant United States Attorney

3600 U.S. Courthouse 333 West Fourth Street

Tulsa, Oklahoma 74013

#### CERTIFICATE OF SERVICE

This is to certify that on the \( \sumset \) day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Jim Heslet, Esq., 5561 S. Lewis, Suite 200, Tulsa, Oklahoma 74108.

Assistant United States Attorney

JSM:ddb

m

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)
Plaintiff,	NOV 15 1989 .
vs.	A STATE OF THE COURT
MICHAEL STEVEN HALL,	- William
Defendant.	) No. 89-CR-83-06-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 11th day of September, 1989. His sentencing is currently scheduled for November 21, 1989 at 9:00 a.m.

This defendant, Michael Steven Hall, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for security reasons, should be presented <u>in camera</u>, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74013

#### CERTIFICATE OF SERVICE

This is to certify that on the \( \sigma \) day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: David Booth, Esq., Federal Public Defender, 222 South Houston, Suite C, Tulsa, Oklahoma 74127.

Assistant United States Attorney

JSM:ddb

els

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, ) Plaintiff, )	
vs. )	No. 89-CR-83-06-E √
MICHAEL STEPHEN HALL, et al., )  Defendants. )	

#### OBJECTION TO PRESENTENCE REPORT

Pursuant Local Rule 33.1, Defendant Michael Stephen Hall makes his specific objections to the presentence report.

Paragraph 5 states, inter alia, "In the summer of 1987, this conspiracy was initiated between Loren Hall, Sr., and David R. Ladd....The conspiracy eventually grew to include Michael Hall....Eugene Gruver, a friend of [another defendant] joined the conspiracy in September, 1988, followed by Loren Hall, Jr., and Michael Hall in the same general time frame, after being recruited by their father and companion defendant Loren E. Hall, Sr. Loren E. Hall, Sr., [the father] initially enticed his family's participation in the conspiracy with occasional gifts and displaying large sums of money. Case reports indicate precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with a street value of \$280,000."

Based on the preceding, defendant Michael Hall's total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5, 8, 13, 15, and 25.

Defendant Michael Hall objects to the imposition of a sentence above or within the previously reference 121 to 151 It is clear from the presentence report that this defendant was not involved in the conspiracy as long as some of the others and that his role in the offense was less than that of some of the others. He is being treated as if he was involved in the conspiracy from its inception and as if his role in the offense was the same as that of the others. Although the guideline scheme may require similar sentences for conspirators, the guideline scheme as applied to defendant Michael Hall is unfair as applied and deprives him of due process and subjects him to cruel and unusual punishment. His sentence, if above or within the guideline sentencing range is grossly disproportionate to the severity of the crime. Ingraham v. Wright, 430 U.S. 666, 668 (1977).

All calculations are based upon the premises that this defendant was involved in a conspiracy to manufacture and distribute 28 pounds of methamphetamine. The conclusion as to the amount is not based on evidence sufficient to support the conclusion of defendant Michael Hall's liability for 28 pounds. The presentence report is quite clear that Michael Hall entered the conspiracy more than one year after its inception. No distinction has been made between the amounts of methamphetamine manufactured before his entry into the conspiracy and the methamphetamine manufactured after his entry into the conspiracy. Additionally, the determination of 28 pounds is based upon conjecture, speculation, and estimation and thus is insufficient for the purpose of sentencing defendant Michael Hall.

Wherefore, defendant Michael Hall requests an evidentiary hearing to determine fairly and accurately the exact amount of methamphetamine for which he should be liable and to then have his guidelines recalculated accordingly.

Respectfully submitted,

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581-7656 FTS 745-7656

Counsel for Defendant

Michael Stephen Hall

#### CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of November, 1989, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Melvin J. Fields, United States Probation Officer.

David Booth

# UNITED STATES DISTRICT COURT FOR THEF I L E D NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	NOV 8 1989 <i>O</i> C
Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
VS.	
KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley,	)
Defendant.	) NO. 8¶-CR-83-0 <b>2</b> -E √

#### MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment against KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley, defendant.

TONY M. GRAHAM United States Attorney

Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Indictment.

United States District Judge

DATE:

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#### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OCT 25 1989 B

Jack C. Silver, Clerk CT COURT

UNITED STATES OF AMERICA, Plaintiff,	)	U. S. DISTRI
vs.	)	
KENT PATRICK THIMMESCH a/k/a	)	No. 89-CR-83-02-E
PAUL RICHARD LASSLEY,	)	
Defendant.	)	

#### WAIVER OF EXTRADITION TO KANSAS

COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

Subscribed and sworn to before me this 25th day of Ontak

1989.

APPROVED:

Stanley Glenn Attorney for Deft.

an, Asst. U.S. Attorney

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

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. 21	Establic(s),	Case No. 89-CR-83-03-E
<i>7</i> 5.		
	· ·-	Date 10/25/89
Kent Patric	Richard Lassley	
a/k/a - Pa. 0	Dichard Line	saluminate Elina
The Mark of	Justice Justify	PROCEEDING Experit of extradition
	2======================================	
UDGE COOK	Deputy R. Miller	Reporter Simpson
UDGE ELLISCH	Deputy McCullougn	Reporter Dorrough
COCT SWEET	Deputy Overton	Reporter Caslavka
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COUNCEL FOR:	Plaintiff J. Ma	10001
	J. J. Ca	4.
	Defendant & S	Glenn .
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•	INFORMATION SHEET	
10/2	, 1989, Before Malls 24 1989 Wagner ( Wolfe	( )
Case No. 89-CR-8	93-0√- ₹ Jack C. Silver, Clerk	
UNITED STATES OF AMERI	ICA V. BALBALA U.S. DISTRICT COURT	
Defendant's Age 3	Sex F Date of Birth 4/30/55	
Defendant's Address	213 E. FIXST, APT B	
_	HUTCHINSON 1aus, 67501-05	
	(Phone #) 699-9403	
Date of Arrest	10/10/89 Arrested by Wic	
VBail Fixed \$	(Cash or Surety) (10% Dep) (Unsecur	ld)
Bail Made \$ 2	(Cash or Surety) (10% Dep) (Unsecur	ed)
Bail Not Made		
(	( Travel restricted to ND/OK and D O KWSAS ( ) Refrain from possession of firearm, etc. ( Successful participation in drug screening ( ) ( )	
Preliminary Exam: Date	e Scheduled at	
Arraignment: Date Sche	eduled at	
Defendant Requests Pub	blic Defender: yes ( no ( )	
Defendant's Attorney:	P.O. Box 14010 (Ct.Apptd) (Reta	ined)
Abbarran for USA	TUSA, OK 74169 (Phone #) 592-5592	
Attorney for USA:		127
Remarks:	le 40 in from Causas.	
Minute: Dappears Appt & preserve 40 ll mld.	for IA. Finar Affid Heid, FPD 4. Ovr also Geld, Sched dates Bond set executed & made.	
( ) Defendant remanded	d to custody of U. S. Marshal.	

### FINANCIAL AFFIDART

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	N UNITED STA						
IN THE	CASE OF	FOR LOCATION NUMBER					
L		vs					
	FRSON REPR	SENTED (Show your full name)  DOCKET NUMBERS					
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	(3/4v	3 Appellant					
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{		E (describe if applicable & check box *)					
	Lansk	Jack C'Silver Court  U.S. DISTRICT COURT  U.S. DISTRICT COURT  Other (Specify)					
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		ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY					
		Are you now employed? Yes No Am Self Employed  Name and address of employer: EATIN CESSIA, HURSON, Kus.					
	EMBI OV	IF YES, how much do you IF NO, give month and year of last employment					
	EMPLOY- MENT	earn per month? \$ 620 How much did you earn per month \$					
		If married is your Spouse employed?   Yes No					
		IF YES, how much does your  Spouse earn per month \$ Parents or Guardian's approximate monthly income \$					
		Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in					
	OTHER	the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?   RECEIVED  SOURCES					
ASSETS -	INCOME	IF YES, GIVE THE AMOUNT					
		RECEIVED & IDENTIFY \$					
	CASH	Have you any cash on hand or money in savings or checking account eres  No IF YES, state total amount \$5.					
		Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary					
	PROP-	household furnishings and clothing)?					
	ERTY	IF YES, GIVE VALUE AND \$ 500 77 CHEROLA					
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1							
		MARITAL STATUS  Total  No. of  List persons you actually support and your relationship to them					
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BLIGATION	vs	SEPARATED OR DIVORCED					
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	PANIES,	LOAN COM- CHARGE S, ETC.)					
		I certify the above to be correct.					
		NATURE OF DEFENDANT (OR PERSON REPRESENTED)					

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

### FILED

	IN THE UNITED STATES DISTRICT COURT FOR THE
	Jack C. Silver, Clerk
UNITED ST	ATES OF AMERICA, ) U.S. DISTRICT COURT
	Plaintiff,
vs.	) NO. <u>89-CR-83-04-E</u>
	· · · · · · · · · · · · · · · · · · ·
BARBARA A.	MARTENEY
	Defendant(s)
	ORDER APPOINTING COUNSEL
employ coaffiant(s)	his 24th day of OCTOBER, 19 89, the above- ing completed an affidavit as to financial ability to ounsel, and upon review, the Court finds that the is/are financially unable to obtain counsel. In with the Northern District of Oklahoma Plan for ing the Criminal Justice Act of 1984,
IT IS	HEREBY ORDERED that the:
	Federal Public Defender is appointed to represent the following:  all further proceedings unless and until relieved by order of the court.
XX	Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  BARBARA A. MARTENEY
	Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
	Federal Public Defender is temporarily appointed to represent the following:
	for purposes of initial appearance only.
Dated	this 24th day of OCTOBER 19 89
	St. Selela-
	JOHN LEO WAGNER
	UNITED STATES MAGISTRATE

# United States District Court

NOI	RTHERN DIST	TRICT OF OKLAHOMA
U.S.A.		
V.		NOTICE
BARBARA ANN MARTENE	.Y	CASE NUMBER: 89-CR-83-04-E
TYPE OF CASE:	CIVIL	□ CRIMINAL
	CIVIL	E ORINITAL
X TAKE NOTICE That a p	roceeding in this case has bee	en set for the place date, and time set forth below:
PLACE		ROOM NO.
U S COURTHOUSE		COURTROOM #2
TULSA OKLAHOMA		DATE AND TIME
		DECEMBER 18, 1989, 9:30 AM.
TAKE NOTICE that the	proceeding in this case has be	een continued as indicated below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME
		JACK C. SILVER, CLERK
		U.S. MAGISTRATE OR CLERK OF COURT
10-24-89		Posserius Madrillausi
DATE		Beverly McCullough (BY) DEPUTY CLERK
το Defendant		
IV. Defellingur		

To: Defendant Ron Bennett Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 11-6-89

GOVERNMENT RESPONSES DUE: 11-14-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 11-21-89
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 11-29-89, 9:00 A.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 12-11-89

## United States District Court

NORTHERN	DISTRICT OF OKLAHOMA		
UNITED STATES OF AMERICA		90/9 0207 0/850	

BARBARA ANN MARTENEY

8962 0707 0/85D WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal and any Authorized United States Officer

\* 89CR

83E

YOU ARE HEREBY COMMANDED to arrest _						
	Name	F	I	L	E	
and bring him or her forthwith to the nearest magistrate	e to answer a(n)					
			Hei	1 2	1989	(
☐ Indictment ☐ Information ☐ Complaint ☐ Order o	of court	Ja	ck C	ation I Silv	er, C	Ĭэ
charging him or her with (brief description of offense)		0.4	). (J)		1 01	• •
Conspiracy to Manufacture; Possess wi Methamphetamine; Forfeiture	th Inent to Distribute; and	to I	isti O	ribut	e	
•	7	-	- 5		٠,	
			127			
in violation of Title21 United States Co	ode, Section(s)846, 841(a)(1) 8	353	ס		*	
TAGING GRAVIED	***************************************	Ü	س		*	
Name of Issuing Officer	Title of Issuing Office L 0 6 1989	}	0			
Signature of Issuing Officer	Date and Location					
Bail fixed at \$	byName of Judicial C	Officer				
RE	TURN					
This warrant was received and executed with the arres	st of the above-named defendant at _	Hu	TCI	HINSO	עמ	_
DATE RECEIVED  O7-06-89  DATE OF ARREST  O-10-89  NAME AND TITLE OF ARRESTING OFFICE  TOTAL CHARD SOLUTION  NAME AND TITLE OF ARRESTING OFFICE  TOTAL CHARD SOLUTION  NAME AND TITLE OF ARRESTING OFFICE  O7-06-89  LNSPECTOR		7	01	ele	1	

To: The United States Marshal

## United States District Court

NORTHERN

DISTRICT OF \_

UNITED STATES OF AMERICA

KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley

and any Authorized United States Officer

8962 0707 01832 C WARRANT FOR ARREST

CASE NUMBER:

89CR 83E

YOU ARE HEREBY COM	MANDED to arrest <u>Kent</u>	Patrick Thimmesch a/k/a Paul R. Lassley
and bring him or her forthwith to	the nearest magistrate to answ	er a(n)
	Complaint	☐ Violation Notice ☐ Probation Violation Petition
charging him or her with (brief description		FILED
Conspiracy to Manufa Methamphetamine; For	cture; Possess with Iner	nt to Distribute; and to Distribute
in violation of Title21	United States Code, Secti	
Name of Issuing Officer	Title of	Issuing Officer
Signature of Issuing Officer		JUL 0 6 1989
Bail fixed at \$		
Dall lived at \$	Uy	Name of Judicial Officer
	RETURN	
This warrant was received and ex	ecuted with the arrest of the al	bove-named defendant at
DATE RECEIVED NAME AND THE	TLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER

operty U.S. Marshal Davil S. Hans

UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT

'JUL 5 1989

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR.,
KENT PATRICK THIMMESCH a/k/a
PAUL RICHARD LASSLEY,
LOREN EUGENE HALL, JR.
BARBARA ANN MARTENEY,
DAVID ROYSE LADD and
MICHAEL STEVEN HALL,

United States District Court )
Northern District of Oklahoma ) SS

Defendants.

I hereby certify that the foregoing is a true copy of the original on file in this Court.

THE GRAND JURY CHARGES:

By Deputy

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

### A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., \$846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

No.

INDICTMENT
[21 U.S.C. \$\$846, 841(a)(1):
Conspiracy to Manufacture;
Possess with Intent to
Distribute; and to
Distribute, Methamphetamine;
21 U.S.C. \$853: Forfeiture]

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,
  DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and
  unknown to the grand jury would and did knowingly manufacture
  methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

#### C. OVERT ACTS

named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA
  ANN MARTENEY, in Texas, sold methamphetamine, and delivered money
  therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL,
  SR., and LOREN EUGENE HALL, JR., purchased chemicals and
  glassware in Tulsa, Oklahoma.

  (9) On or about November 15, 1988, LORAN EUGENE HALL,
  SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator
  purchased chemicals in Tulsa, Oklahoma.

  (10) On or about November 28, 1988, LORAN EUGENE HALL,
  SR., called by telephone to Mid-Town Scientific Co., Tulsa,
  Oklahoma, to advise that he would be coming or calling to place
  an order for 110 pounds of Ephedrine.
  - (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
  - (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
  - (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
  - (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
  - (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
  - (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine. (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas. (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals. (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas. (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory. (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas. (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie. (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas. -5(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

By

S/Jack Morgan
Assist. U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

PILED OCT 23 1989 OLD

UNITED STATES OF AMERICA,	Jack C. Silver C.
Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
VS.	) No. 89CR 83E
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	)
Defendant.	)

#### ORDER GRANTING EXTENSION OF TIME

Now on this 20 day of October, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Extension of Time to file proposed voir dire and proposed jury instructions, the Court finds that Defendant's Motion should be sustained.

> UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT

### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Extension of Time on this \_\_\_\_\_ day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.

NOTE: THIS ORDER IS TO BE MAILED

BY MOVANT TO ALL COUNSEL AND

PRO SE LITIGANTS IMMEDIATELY

Jo Stanley Glenn

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491 FILED

OCT 19 1989

Jack C. Silver, Clerk U.S. DISTRICT COURT FTS: 752-2610
151 U.S. COURTHOUSE
812 NORTH SEVENTH
KANSAS CITY, KANSAS 66101
(913) 236-3719
FTS: 757-3719

490 U.S. COURTHOUSE

444 S.E. QUINCY TOPEKA, KANSAS 66683

(913) 295-2610

October 17, 1989

Jack C. Silver, Clerk 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

89-92-83-E RECEIVED

RE: United States of America vs. Barbara Ann Marteney

Magistrate No. 89-1081M-03

JACK C. SILVER, CLERK U. S. DISTRICT COURT

Dear Clerk:

I enclose, pursuant to Rule 40, copies of the following papers:

Waiver of Removal Hearing Courtroom Minute Sheet dated 10-10-89 Order Setting Conditions of Release Appearance Bond Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Sincerely,

RALPH L. DELOACH, CLERK

Carla Ray, Deputy Clerk

Enclosures

cc: Ass't. U.S. Attorney

U.S. Magistrate U.S. Probation

Mark the state of the state of

### FILED

16	inneo States Utstrii	oct 1 2 1989
	DISTRICT OFK	ANSAS 15 27 39
		Cala Ray/
UNITED STATES C	OF AMERICA	
V.	(E	ER OF RULE 40 HEARINGS Excluding Probation Cases)
	007 1 - 1989	
BARBARA ANN MA	RTENEY. Case Number Case Number	89-1081M-03 89-CR-8 <b>3</b> -04E
	HS baller foller	89-CR-83-04E
I, <u>Barbara Ann Ma</u>	rteney	, understand that in the
Northern	District ofOklahoma_	, charges are pending
alleging violation of 21	USC 841: 846 and 853	and that I have been
arrested in this District and tal	ken before a United States Magistrate,	who informed me of the charge and of my
proceedings to this district pur to determine if I am the persor been returned or an informati	suant to Rule 20, Fed. R. Crim. P., in on named in the charge, and (4) a prelimination	o retain counsel, (2) request transfer of the order to plead guilty, (3) an identity hearing nary examination (unless an indictment has probable cause to believe an offense has the district of prosecution.
I HEREBY WAIVE (C	GIVE UP) MY RIGHT TO A(N):	
(X) identity hearing		
( ) preliminary examinatio	n	·
( ) identity hearing and ha	ave been informed I have no right to a	preliminary examination
( ) identity hearing but rec	quest a preliminary examination be held	in the prosecuting district
and, therefore, consent to the charge is pending against me.	issuance of an order requiring my appear	arance in the prosecuting district where the

October // 1989 Date

Defendant

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

### PRETRIAL PROCEEDINGS

CASE NO. 89-UNITED STATES OF AMERICA P E A VS. R N C E ) Appointed KANSAS CITY Wooley JUDGE: WICHITA CLERK: TOPEKA REPORTER: DATE: 10 - 10 - 89 PROCEEDINGS ( ) WAIVER OF INDICTMENT ( ) BAIL HEARING ( ) DENTENTION HEARING (X) RULE 5 ( ) FELONY ( ) ARRAIGNMENT & PLEA ( ) APPEARANCE ( ) MISDEMEANOR ( ) CHANGE PLEA (X) Counsel appointed (Public Defender) (X) Def. sworn to financial status, (X) Constitutional Rights Explained ( )Declines to Waive Indictment ( ) Will be presented to next Grand Jury ( )Information filed on ( )Signed Waiver of Indictment ( )Signed Consent to Transfer under Rule 20 ( )Petition to Enter Plea filed ( ) Complaint ( ) Indictment ( ) Violation Notice ( ) Number of Counts )Waived Reading of: ( ) Read to Defendant ( ) Information ( ) Not Guilty Counts: (.) Previous Plea: ( ) Guilty ( ) Guilty Counts: Accepted Counts: ( ) Not Guilty ( )Denied -- Being Juvenile Delinquent as charged ( )Forms Furnished ( )Sentencing Set for: ( )Judgment deferred ( )P.S.I. Ordered ( )Set for trial ( )Remanded to custody (X) Bail \$20,000 )Continued on Present Bail (X)Release ordered ( )Remain at \$ ( ) Detention ordered ( )To be Dismissed on Motion of U. S. Attorney at Time of Sentencing. (X) Continued to 10-11-89 at 1:30 4. 12. Motions to be filed by: Responses or briefs filed by: Reply Briefs: Motions heard on: Tentative Trial Date:

( ) Defendant refused to proceed in Magistrate's Court and remanded to

( ) Defendant waived Omnibus Hearing

District Court

FILED

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

OCT 1 11989

FOR THE DISTRICT OF KANSAS	
UNITED STATES OF AMERICA,	Cala Ray
Plaintiff,	2019
v. )	Case No. 89-1081M-03
BARBARA ANN MARTENEY	
Defendant. )	
The defendant under oath has sworn or a	affirmed as to his
financial inability to employ counsel.	
Offense: 21 USC 841 Drugs	
Federal Public Defender	
Appointed on 10-10-89	by:
X United States Magistrate John B.	. Wooley
United States District Judge	
Case assigned to: Federal Public Defer	nder
Defendant is <u>released upon signing \$20,000</u>	.00 OR bond
213 E. lst, Apt. B, Hutchinson, Kansas 67501	316/669-9403
The following proceedings are set for l	hearing on the dates
indicated:	
1. Omnibus Hearing & Arraignment 2. Preliminary Hearing 3. Removal Hearing 10-1	, 19
There is are5 co-defendant(s) in	this case.
Dated this 10th day of U. S. WINX	EXXXX MAGISTRATE
or By Orde	r of the Court

Clerk or Deputy Clerk

#### CJA-23

### FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

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# United States District Court

V.  BARBARA ANN MARTENEY  CASE NUMBER: 89-CR-83-04-E  TYPE OF CASE:  CIVIL  CASE NUMBER: 89-CR-83-04-E  CASE NUMBE	NORTHERN		DISTRICT OF OKLAHO	MA		
TAKE NOTICE that a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U.S. COURTHOUSE 333 W. 4th St. Tulsa, OK 74103  TUSE OF PROCEEDING  APPOINTMENT OF COUNSEL  DATE AND TIME PREVIOUSLY SCHEDULED  DATE AND TIME PREVIOUSLY AND TIME CONTINUED TO, DATE AND TIME CONTINUED TO, DATE AND TIME JACK C. STLVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT	USA					
PLACE  U.S. COURTHOUSE 333 W. 4th St. Tulsa, OK 74103  PROCEDINTMENT OF COUNSEL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DACE  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME OCTOBER 26, 1989, 9:00 A.M.  DATE AND TIME PREVIOUSLY CONTINUED TO, DATE AND TIME SCHEDULED  DATE AND TIME PREVIOUSLY CONTINUED TO, DATE AND TIME  JACK C. STLVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT		V.		NOTICE		
TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U.S. Courthouse 333 W. 4th St. Tulsa, OK 74103  PROOM NO. 4541  DATE AND TIME OCTOBER 26, 1989, 9:00 A.M.  PLACE  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  PLACE  DATE AND TIME OCTOBER 26, 1989, 9:00 A.M.  PLACE  DATE AND TIME PREVIOUSLY SCHEDULED  CONTINUED TO, DATE AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT	BARBARA ANN MAI		CASE NUMBER:			
DATE AND TIME  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME OCTOBER 26, 1989, 9:00 A.M.  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME OCTOBER 26, 1989, 9:00 A.M.  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME  CONTINUED TO, DATE AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT	YPE OF CASE:	CIVIL CIVIL	⊠ CRIMINAL			
U.S. Courthouse 333 W. 4th St. Tulsa, OK 74103  PROCEEDING  APPOINTMENT OF COUNSEL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  CLACE  DATE AND TIME PREVIOUSLY SCHEDULED  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  CONTINUED TO, DATE AND TIME  TACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT	X TAKE NOTICE TH	at a proceeding in this case h	as been set for the place date, a	nd time set forth below:		
TULSA, OK 74103  OCTOBER 26, 1989, 9:00 A.M.  APPOINTMENT OF COUNSEL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LAGE  DATE AND TIME PREVIOUSLY SCHEDULED  CONTINUED TO, DATE AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT	U.S. Cou					
APPOINTMENT OF COUNSEL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME PREVIOUSLY SCHEDULED  DATE AND TIME  LIACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT			DATE AND TIME			
APPOINTMENT OF COUNSEL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LACE  DATE AND TIME PREVIOUSLY SCHEDULED  CONTINUED TO, DATE AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT	iuisa, o	74103	OCTOBER 26,	OCTOBER 26, 1989, 9:00 A.M.		
JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT	TAKE NOTICE that	at the proceeding in this case	has been continued as indicated	below:		
U.S. MAGISTRATE OR CLERK OF COURT	LACE					
(BY) DEPUTY CLERK Deputy Clerk	10-19-89		U.S. MAGISTRATE OR CLERI	K OF COURT		
	DATE		(BY) DEPUTY CLERK	Llougn, Deputy Clerk -		

To: Defendant
Jack Morgan
Probation

#### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

	OCT	17	Mon	del
JACA U.S. O	375	17	. OLE COUR	RK T

UNITED STATES OF AMERICA, Plaintiff. No. 89CR 83E VS. KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY. Defendant.

#### MOTION FOR EXTENSION OF TIME

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant an extension of time in which to file proposed voir dire questions and proposed jury instructions. In support of said motion, the Defendant would allege and state:

- 1. That due to the Court's schedule, trial will not commence on the scheduled date of October 23, 1989.
- That attorney for the Defendant has been in trial and unable to complete material prior to this date.
- That Jack Morgan, Assistant United States Attorney, has no objection to the extension of time.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to extend the filing of voir dire and jury instructions until just prior to the commencement of trial

Respectfully submitted,

Jo Stanley Glenn OBA#3411 Attorney for Defendant Kent Patrick Themisch a/k/a Paul Richard Lassley 1154 E. 61st Tulsa, OK 74136 (918) 749-5531

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Extension of Time on this \_\_\_\_\_ day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn

### COMMITMENT TO ANOTHER DISTRICT

(Rule 40, Federal Rules of Criminal Procedure)

	t COLORADO
UNITED STATES OF AMERICA V.	89-CR 83E FILED
KENT PATRICK THIMMESCH	MAGISTRATE CASE NO.  OCT 12 1989 B  Jack C. Silver, Clerk
CHARGES AGAINST THE DEFENDANT ARE FILED BASED UPON  Manual Information Complain	N AN
charging a violation of 21 U.S.C. § 846, 841	I(a)(1), 853
DISTRICT OF OFFENSE	DATE OF OFFENSE
OKLAHOMA	
DESCRIPTION OF CHARGES:	
Conspiracy to Manufacture; Possess with Inte	ent to Distribute; and to Distribute Methamphetamine;
Forfeiture	I, the undersigned, Clerk of the
	Hatral States District Court for the
	· v that
	٠.
	JANE Juke Presett facks
BOND IS FIXED AT	Doney
	ico in Ohlohoma
S Defendant is ordered detained until appearan	
	oce in Oklahoma Colorado DISTRICT
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take control that defendant with a certified copy of this	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take control that defendant with a certified copy of this specified above and there deliver the defendence.	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take control that defendant with a certified copy of this specified above and there deliver the defendence.	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take control that defendant with a certified copy of this specified above and there deliver the defendence.	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defendance of the some other officer authorized to receive the	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to be defendant.
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defendance of the some other officer authorized to receive the August 1, 1989	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defendance of the some other officer authorized to receive the August 1, 1989	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to be defendant.  United States Magistrate
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defendance of the some other officer authorized to receive the August 1, 1989	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to be defendant.  United States Magistrate  D.E. ABRAM
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defendance of the some other officer authorized to receive the defendance of the some other officer authorized to receive the defendance of the some other officer authorized to receive the defendance of t	Custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to be defendant.  United States Magistrate  D.E. ABRAM  RETURN
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defend some other officer authorized to receive the some other officer authorized to receive the Date  This commitment was received and executed as follows:  DATE COMMITMENT ORDER RECEIVED  PLACE OF COMMITMENT ORDER RECEIVED	custody of the above named defendant and to transport is commitment forthwith to the district of offense as ident to the United States Marshal for that District or to be defendant.  United States Days & Magistrate  D.E. ABRAM  RETURN  DATE DEFENDANT COMMITTED
TO: THE UNITED STATES MARSHAL  You are hereby commanded to take of that defendant with a certified copy of this specified above and there deliver the defend some other officer authorized to receive the some other officer authorized to receive the Date  This commitment was received and executed as follows:  DATE COMMITMENT ORDER RECEIVED  PLACE OF COMMITMENT ORDER RECEIVED	custody of the above named defendant and to transport is commitment forthwith to the district of offense as idant to the United States Marshal for that District or to be defendant.  United States Magistrate  D.E. ABRAM  RETURN

### MISCELLANEOUS DOCKET UNITED STATES DISTRICT COURT

DOCKET NO.

89-832M

	TITLE OF CASE		ATT	ORNEYS	
		For p	laintiff:		
U.S.A.					
	v.				
Kent Pat	rick Thimmesch	For d	defendant:		
	MEMORANDA	DATE	NAME OR RECEIPT NO.	RECEIVED	DISBURSED
Uniform Distriction for the franchistic environment of the fra					
DATE	PROCEEDI	NGS			Date Order or Judgment Noted
7/5 7/6 8/1	INDICTMENT  W/A issued  Affidavit for removal  INITIAL APPEARANCE(DEA)defend presented by counseldef. waived recommend onlyORAL motion of gov't for detection of statute def. ordered detained w/out hearingORDER: def. remanted to WAIVER of Rule 40 HEARING	entionORI	of counsel in the DER: based on p	is district	

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

### INITIAL APPEARANCE

Judi	E/Magistrate D.E. ARRAM	Date AUGUST 1, 1989
Dept	uty Clerk Deborch lower	Court Rep./Tape #/BER / 43/ A
Crin	n. No. 89-832M	Counsel for Govt. and reter Vagt
		Counsel for Deft. $\omega/o$ counsel
	57.079°	Pretrial/Prob. Off.
603	(PLAINT/INFORMATION/INDICTMENT	· Northern District of Oklahoma
	3:05 p.m. Court in Session.	
[]		s () will be furnished a copy of the charges when recd.
14	Defendant advised of the charges and	penalties.
14	Defendant advised of right to remai	in silent, K right to be represented by counsel.
M	Defendant advised the Court he/she (	,
	OR () will him counsel. If the defenda	ant cannot retain counsel the Court will be adviced
	DEFENDANT WAINED APPUNTMENT	to that counsel may be appointed only.
[]	Financial affidavit executed. Defenda	ant found () ABLE () UNABLE to hire counsel.
[]	ORDERED: () Federal Public Defende	
	() Counsel to be appointe	
[]	ORDERED: Bond set () Personal Re	-
	() \$cash/corpo	
	()\$10% cash d	
[]		nditions of bond as set forth on attached sheet.
Vu/	·	ment for Detention, hearing is set at
		before Magistrate
[]		ntity hearing is set at
	on	before Magistrate
[]	ORDERED: Arraignment set at	on
	before Magistrate	
Y.J	ORDERED: frank & bisalin	notion of statute desindantin
	andered dotains hunter	ant bond.
		,
	Ortrafent sucutal to	les Wanter of Rule 40 Heaven:
	FDES: Dekndont some	noted to australia of U.S. March
	An 33 m NAX	to Oblation of
	for summer and	C
		E.
	3./3 Cm. Court in Recess.	Com 4th October
		Little Present Carns
		Deputy

UNITED STATES DISTRICT COURT. DENVER, COLORADO

### United States District Court

AUG 0 1 1981

DISTRICT OF \_\_\_\_COLORADO

JAMES R. MANSPEAKER DEP. CLERK

#### UNITED STATES OF AMERICA

V.

### WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

KENT PATRICK THIMMESCH aka Paul Lassley

Case Number:

89-832M

I, Kent Patrick Thimme	esch	, understand that in the
Northern District of	f_Oklahoma	, charges are pending
alleging violation of 21 U.S.C. 58 841(a)	(1) and 853	and that I have been
arrested in this District and taken before a United right to:	States Magistrate, who i	nformed me of the charge and of my
(1) retain counsel or request the assignment of couproceedings to this district pursuant to Rule 20, Fe to determine if I am the person named in the chargebeen returned or an information filed) to determ been committed by me, the hearing to be held eit	ed. R. Crim. P., in order to ge, and (4) a preliminary of hine whether there is prob	to plead guilty, (3) an identity hearing examination (unless an indictment has bable cause to believe an offense has
I HEREBY WAIVE (GIVE UP) MY RIG	HT TO A(N):	
( ) identity hearing		
( ) preliminary examination		
( XX) identity hearing and have been informed I	have no right to a prelin	ninary examination
( ) identity hearing but request a preliminary	examination be held in the	he prosecuting district
and, therefore, consent to the issuance of an order charge is pending against me.  / L the under the control of the District of the District of the Control	Defendant	Buch Thunnel
Date	Defense Counse	1

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

	89
UNITED STATES OF AMERICA	) Hagistrate's Docket No. 67 Case No. 830 /h
<b>V</b> ~	S CEER NO
K 1 D 1 : 1 77:	AFFIDAVIT FOR
Kent Patrick/ Nimmes	REMOVAL PROCEEDING
aka & Paul Lassley	,
BEFORE THE UNITED STATES MAGISTRATE	
The understaned afficent, on the	basis of his investigation and information
he has received concerning this case	through official channels, does hereby
certify:	
0= July 6, 1989, a Warr	ent for Arrest was issued in the Morthern (if applicable)
CILI	
District of Oklahoma by	lack C. Silver Clerk  (full name and title)
on the ( ) Complaint ( ) Information	(1) Indictment filed at JUSA, OK
	ion of Title 21. Section 846,84/(a)(1)85
U. S. Code, Conspiracy to Mo	mufacture Possesian with Intent.
to Distribute Distribution	of Mathamphetemine Forfeiture.
at which time bond in the amount of	s none
was ( ) recommended or ( ) fixed.	
•	
The above-named defendant was a	errested by me on 8-1-8
at 11:45 KH /P.H., at 6/6/	Pince Cl 111 (Care)
at //490 A.H. VP.H., at 10/6/	Pierce St. Westminster, CO.
	that I that
	Deadill S. Marshall
	(title of officer)
	1 st ()
Subscribed and sworn to before	me this day of Clugual
3.7	
	United States Magietrate
и. :	
Course 4th October.	

northern

## United States Bistrict Court

UNITED STATES OF AMERICA V.	8962 0707 WARRANT FO	R ARREST
KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley	CASE NUMBER:	
	89CR	83E
To: The United States Marshal and any Authorized United States Officer	OJOR	OOL
YOU ARE HEREBY COMMANDED to arrest	Kent Patrick Thimmesch a/k	/a Paul R. Laesley
and bring him or her forthwith to the nearest magistrat	e to answer a(n)	
☑ Indictment ☐ Information ☐ Complaint ☐ Order	of court   Violation Notice   Pro	bation Violation Petition
charging him or her with shell description of offenses		
Conspiracy to Manufacture; Possess v Methamphetamine; Forfeiture	ith Inent to Distribute; and	l to Distribute
In violation of Title 21 United States C	ode, Section(s) 846, 841(a) (1).	853
JACK C. SILVER		the section of the second section of the second section of the sec
Signature of leaving Officer	Title of lasuing Officer  JUL 0  Date and Location	6 1989
Ball fixed at \$	byName of Judicial (	Officer
R	ETURN	
This warrant was received and executed with the arre		NAME OF THE PROPERTY OF THE PR
DATE RECEIVED NAME AND TITLE OF ARRESTING OFFICE DATE OF ARREST	BIGNATURE OF ARRESTING	OFFICER
B-1-89 Deputy Vis-M	arshall dans	· / Long

FILED

## UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT NORTHERN DISTRICT OF OKLAHOMA

JUL 5 1989

Uack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA.

Plaintiff.

VS.

LORAN EUGENE HALL, SR.,

KENT PATRICK THIMMESCH a/k/a

PAUL RICHARD LASSLEY,

LOREN EUGENE HALL, JR.

BARBARA ANN MARTENEY,

DAVID ROYSE LADD and

MICHAEL STEVEN HALL,

Ited States District Court ) ithern District of Oklahoma )

Defendants.

hereby certify that the foregoing
I true copy of the original on the
This Court.

THE GRAND JURY CHARGES:

Jack C. Silver, Clerk

COUNT ONE

[21 U.S.C. \$\$846, 841(a)(1), 853]

### A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including Pebruary 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENBY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., \$846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

No.

INDICTMENT
[21 U.S.C. \$\$846, 841(a)(1):
Conspiracy to Manufacture;
Possess with Intent to
Distribute: and to

Distribute, Methamphetamine; 21 U.S.C. \$853: Forfeiture!

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. \$841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,

  DAVID ROYSE LADD, and others both known and unknown to the grand
  jury, would and did knowingly purchase precursor chemicals in the
  Northern District of Oklahoma, and elsewhere, with the intent to
  manufacture mehtamphetamine.
  - a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
  - (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
  - (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

### C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
  - (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
  - (3) In or about September or October, 1987, BARBARA
    ANN MARTENEY, in Texas, sold methamphetamine, and delivered money
    therefrom to LORAN EUGENE HALL, SR.
  - (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
  - (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
  - (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
  - (7) On or about October 28, 1988, LORAN EUGENS HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.
- (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.
- (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
  - (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
  - (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
  - (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
  - (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
  - (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
  - (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about Pebruary 15, 1989, LOREN BUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, \$853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

By

S/Jack Morgan
Assist, U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

## UNITED STATES DISTRICT COURT OFFICE OF THE CLERK DISTRICT OF COLORADO

James R Manspeaker, Clerk

October 4, 1989

Room C-145 UNITED STATES COURT 1929 Stout Street Denver, Colorado 80294-3589 Phone (303)844-2115

Jack C. Silver, Clerk 411 U.S. Courthouse 333 W. 4th Street Tulsa, Oklahoma 74103

RE: U.S.A. vs. Kent Patrick Thimmesch
Your No. 89-832M
OUR NO. 89-CR 83E

Dear Clerk:

We are enclosing the following documents which are being forwarded pursuant to Rule 40(c) of the Federal Rules of Criminal Procedure:

(x) Copy - Docket Sheet	
(x) Warrant of Arrest and Return	
() Appearance Bond in the amount of \$	
() Check for \$	
() Order Setting Conditions of Release	
(x) Commitment to Another District	
(X) Waiver of Removal/Identity Hearing	
() Passport of	
() Financial Affidavit	•
(X) Court Minutes	
() Other	
Please acknowledge receipt of the encid	osed documents on the enclosed copy of this letter.
	this letter.

Very Truly Yours,

JAMES R. MANSPEAKER, Clerk

Deputy Clerk

cc: U.S. Attorney, Denver, Colorado Pretrial Services Agency, Denver, Colorado U.S. Attorney, Oklahoma

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

Du sa	No.	•
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	laintill(s),	Case No. 89. CR-83-E
vs.		Date
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ment lar	ick thimmesch	
••	varias .	PROCEEDING PT_
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٥	erencent(s).	
GUDGE CCCX	Daputy R. Miller	
	Deputy McCullough	
	Deputy Overton	Reporter Caslavka
	neign1	Reporter
COUNSEL FOR	: Plaintiff Q. M	Lorgan
	La contraction de la contracti	
5	Defendant J. J.	Glenn V
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asties 4	working on	sussible resolution of matter
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### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

12 12 1989 OH

UNITED STATES OF AMERICA,	)
Plaintiff,	)
vs.	) No. 89CR 83E
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	)
Defendant.	)

#### ORDER GRANTING CONTINUANCE

Now on this Aday of September, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Continuance on jury trial date, the Court finds that Defendant's Motion should be sustained.

IT IS THEREFORE ORDERED, ADJUGED AND DECREED by the Court that the jury trial set for September 18, 1989, on Defendant Kent Patrick Themisch, a/k/a Paul Richard Lasley, should be and hereby is continued until the 23 day of Oct., 1989, at 9/36 o'clock, AM..

> UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT

### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Continuance on this \_\_\_\_ day of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn

K

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,  Plaintiff,	U.S. The Floor Court
VS.	) No. 89CR 83E
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	) ) )
Defendant.	}

### MOTION FOR CONTINUANCE

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant a continuance on the jury trial date of September 18, 1989. In support of said motion, the Defendant would allege and state:

- 1. The Defendant originally appeared for arraignment less than thirty (30) days prior to September 18, 1989.
- 2. In accordance with Title 18 U.S.C. Section 3161C(2), the trial of a defendant shall not commence less than thirty (30) days from the date of arraignment.
- 3. The Defendant has yet to complete discovery in order to adequately prepare for trial.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to continue the jury trial until the October jury docket.

WHEREFORE, the Defendant would further request that the dates now set for requested jury instructions and requested voir

16 A

dire be continued in accordance with the continuation of the jury trial setting.

Respectfully submitted,

Jo Stanley Glenn, OBA#3411 Attorney for Defendant Kent Patrick Themisch a/k/a Paul Richard Lassley 1154 E. 61st Tulsa, OK 74136 (918) 749-5531

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Continuance on this day of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn

## United States District Court

	NORTHERN DIST	TRICT OFOKLAHOMA	
U.S.A.			
	V	NOTICE	
LOREN EUGENE MICHAEL STEVE		CASE NUMBER: 89-CR-83-03 & 06-E	
E OF CASE:	□ CIVIL	⊠ CRIMINAL	
TAKE NOTICE TH	at a proceeding in this case has bee	n set for the place date, and time set forth below:	
U. S. COURT TULSA OK	HOUSE	ROOM NO. COURTROOM #2	
102011 011		DATE AND TIME	
PE OF PROCEEDING		NOVEMBER 21 , 1989, 9:00 A.M.	
SENTEN  TAKE NOTICE tha	at the proceeding in this case has be	en continued as indicated below:	
	SCHEDULED	AND TIME	
		JACK C. SILVER, CLERK	
		U.S. MAGISTRATE OR CLERK OF COURT	
0_12_80			

Beverly McCullough

(BY) DEPUTY CLERK

To: Defendants Jim Heslet David Booth John Morgan

DATE

IM

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute	Sheet - General .
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•	
. Plaintlii(s),	Case No. 89-CR-83-02 E
vs.	Date 9/11/89
Lent Patrick Themmes	
year work Digmmes	
	PROCEEDING PT, met & or C/P
	- January Company
Decencent(s).	
JUDGE COOK Deputy R. Mi	ller : Possess Sisses
JUDGE ELLISON Deputy McCul	
JUDGE ERETT Deputy Overt	
Deputy	Reporter
CCUMSEL FOR: Plaintiff	& Margan
Defendant	
in a second	Jo Glenn
MINUTES: Compt/mant y 1. 1.	this date - IT passed &
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### MINUTE SHEET - CRIMINAL

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		ARRAIGNM	ENT &/OR CH	HANGE OF PLEA		
JUDGE COOK JUDGE ELLIS	ON	Donuty Mo	Cullough	Panarta	er Simpson er Dorrough	
MAG. WAGNER	2	Deputy J.	Miller	Reporte	er Caslavka	
MAG. WOLFE		Deputy Ma	yes	Keporte	eded	
Counsel for	Governmen	t 0 7	Margary			
Counsel for	Defendant	10.	Booth 2			
		R	etained; Co	ourt Appointed		
					sel; counsel wai	ved
		_		ent; Informati		
Waives Indi	ctment; ju	ry trial;	30 days pre	eparation; sep	arate represent	ation
Waivers app						
Defendant a	dvised of	charge and	arraigned			
Indictment, Filed;	Supersedi read: rea	ng Indictm ding waive	ent; Informed	mation; Supers	eding Informati	on;
Enter plea	of My	ilty	as	to Counts		
Defendant w	vithdraws p	lea(s) of	Not Guilty	to Counts		
Counts					ed at sentence	
Petition to facts flux agree Defendant a	enter ple	a of quilt	v sworn to	and executed:	Defendant rela approved and fi	tes led
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SENTENCE SE	er had	01 1889 91	0 1 M	PS	T ordered	
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CR-2:6/89

FILED IN COURT

IN THE UNITED STATES DISTRICT COURT FOR THE SEP 1 1989 NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

Mo. 19-CR-83-06-E

Mochael Steven Sall

## WAIVER OF JURY

Defendant.

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:

Mulau S Hall

Defendant

United States Attorney

Attorney for Defendant

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THECK C. Silver, Clerk NORTHERN DISTRICT OF OKLAHOMA **W. S. DISTRICT COURT** UNITED STATES OF AMERICA, No. 89-CR-083-06-C Plaintiff, PETITION TO ENTER PLEA OF GUILTY AND Vs. ORDER ENTERING PLEA MICHAEL STEVEN HALL, (Federal Rules of Criminal Procedure, Defendant. Rules 10 and 11) The defendant represents to the Court: (1) My full true name is: <u>Michael Steven Hall</u> I am 37 years of age. I have gone to school up to and including 11th grade. I request that all proceedings against me be in my true name. (2) I am represented by a lawyer; his/her name is: David Booth \_\_\_\_. (3) I received a copy of the Indictment\* before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me. (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. I believe that my lawyer is fully informed on all such matters. (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s) See attached 1-A

did. If more space is needed, add a separate page.)

<u>NOTE</u>: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

(In the above space defendant must set out in detail what (s)he

<sup>\*&</sup>quot;Indictment" also includes "Information."

#### Attached 1-A

The indictment describes a conspiracy to manufacture and distribute methamphetamine. My father, Oran Eugene Hall, Sr., is the first named defendant in the indictment. I had been living away from home for a number of years and recently returned home for personal reasons. When I returned home I renewed my relationship with my father and learned of his involvement in the conspiracy. Thereafter, I assisted my father in this conspiracy by assisting in the transportation of some laboratory equipment.

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) I know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$\frac{1,000,000}{1,000,000}\$. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def. State of State

My lawyer has also advised me that a Special Monetary Assessment in the amount of  $\frac{50.00}{1000}$  will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least <u>three</u> years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" is the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows: See attached 4-A

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

- (15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
- (16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:\*\*
  Guilty to the one count indictment.

\*\* "The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_\_", "NOT GUILTY as

#### Attached 4-A

I will plead guilty to the one count indictment and assist the government in the prosecution of this case. If my assistance is "substantial" as defined by the Sentencing Guidelines, the government will move for a downward departure in my sentence. See the attached copy of the August 21, 1989, "plea letter" which sets out the plea agreement in detail.

(16) "GUILTY as charged in the Indictment".	Ιf	more	than	one
Offense is charged, the defendant may write	in	narag	ranh	(16)
"GUILTY as charged in Count(s)	11	"NOT	GUILTY	7 20
charged in Count(s)		1101	COLLL	. as

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

None

## (If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

No	exce	otio	ns.

- (20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
- (21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this <u>llth</u> day of <u>September</u>, 1989.

Michael Hall Defendant

Subscribed and Sworn to before me this <u>llth</u> day of <u>September</u>, 1989.

By Mc Aelleugh Deputy Clerk

<sup>(19)</sup> I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

## CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Michael Stephen Hall, hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553  $\underline{\text{et}}$   $\underline{\text{seq}}$ , and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

  None \_\_\_

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" is the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this <u>llth</u> day of <u>September</u>, 1989.

David Booth

Attorney for the Defendant

#### ORDER

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the plea(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this <u>llth</u> day of <u>September</u>, 1989.

UNITED STATES DISTRICT JUDGE

## MINUTE SHEET - CRIMINAL

DATE	9/11/89	USA VS. Legen	ER. CASE NO. 89 CR-83-03 E - Eugene Wall Gr (AGE) 34
		ARRAIGNMENT &/OR C	CHANGE OF PLEA
JUDGE COOF JUDGE ELLI JUDGE BRET MAG. WAGNE	ISON	Deputy R. Miller Deputy McCullough Deputy Overton Deputy J.Miller	
MAG. WOLFE	E	Deputy Mayes	RecordedReporterRecorded
		nt J. Margan	
	or Defendant	Retained; C	Court Appointed; FPD without counsel; counsel waived
Defendant	acknowledge	es receipt of Indictm	
Waivers ar	proved by		
Indictment Filed	; Supersed:	ing Indictment; Infor	rmation; Superseding Information;
Enter plea	of	Juilty as	s to Counts/
Defendant	withdraws p	olea(s) of Not Guilty	to Counts
Counts			to be dismissed at sentence
Petition to facts Defendant	o enter ple of charge eenest place adjudged gr	ea of guilty sworn to petition (and P) wilty as charged in (	and executed; Defendant relates Lea Agreement) approved and filed Counts/
		greement; Made/Reserv	
Objections	to PSI to	be filed by	•
SENTENCE S	SET Nov.	21,1989, 9:00	A.171, PSI ordered
			nd; Defendant remanded to USM
			nd all pre-trial motions
		ment to respond	at pro crac most most most most most most most most
	<del></del>	ication of Discovery	Disputos
			cing on motions at
			ted voir dire, inst. & trial briefs at

	2EK 1 1 1893 K
UNITED STATES OF AMERICA,  Plaintiff,  vs.	Jack C. Silver, Clerk U. S. DISTRICT COURT Criminal Case
Loven Eugene Zall, Jr. )  Defendant.	No. 89-CR-83-03-E
WAIVER OF	F JURY
I, the undersigned defendant my rights, do hereby waive a just	, having been fully apprised of ry and agree to try the above-
entitled case to the Court as pr	ovided by Rule 23(a), Rules of
United States Attorney	efendant  Weslet  torney for Defendant
Signed and approved in open of Sept , 1989.	Court this day of

NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THIN OPEN COURT

STATES DISTRICT COURT FOR THE	
N DISTRICT OF OKLAHOMA	
No. on	
NO. 89-CR-83-E	_
PETITION TO ENTER DIES OF	FILE
GUILTY and ORDER ENTERING PLFA	IN OPEN SO
(Federal Rules of Criminal Procedure, Rules 10 and 11)	Jack C. Silver, Cle
ourt:	U. S. DISTRICT COL
The set is in the state.	-Hutchinson · Jr. College
; his name is:Jim H. Heslet	•
dictment* before being called upon to ith my lawyer. I fully understand ev	plead. I read very charge made
ts and circumstances known to me ab elieve that my lawyer is fully infor	out the charges med on all such
e satisfied that there is a factual b cepted. I represent to the Court charges made against me in Counts I	that I did the
klahoma I transported precursor	chemicals
	purchased
Oklahoma to be used in the man	ufacture
et out in detail what he did. If	more space is
advised me on the nature of each sible defenses that I might have in	this case
when the Constitution guarantees me ry; (b) at that trial, and at all the ce of a lawyer; (c) the right to see, and the right to cross-examine the cess of the Court to compel the propany witnesses in my favor; and (e) the aking the witness stand; and if I day be drawn from such failure.	offense charged (a) the right stages of the e and hear all cose witnesses; duction of any
	No. 89-CR-83-E  PETITION TO ENTER PLEA OF GUILTY and ORDER ENTERING PLEA  (Federal Rules of Criminal Procedure, Rules 10 and 11)  Durt:  Loren Eugene Hall, Jr.  To to and including 1½ Yrs. College The me be in my true name.  This name is: Jim H. Heslet  Stictment* before being called upon to The thing lawyer. I fully understand even  The satisfied that there is a factual be The septed. I represent to the Court  That ages made against me in Counts I  That alahoma I transported precursor  That advised me on the nature of each  The sible defenses that I might have in the  That to plead "NOT GUILTY" to any of  The control of the right to see  The control o

waive, that is, give up, that right. I also fully understand that if I have trial by a

(8) In regard to my right to a jury trial, I know that I am the only person that can

<sup>&</sup>quot;Indictment" also includes "Information". NOTE: IF THE SPACE PROVIDED IS NOT SUFFICIENT FOR A COMPLETE RESPONSE, YOU SHOULD ADD AN ATTACHMENT AND INDICATE ANSWER IS MADE IN ATTACHMENT.

jury, I have the right of the assistance of counsel, that is, an attorney; also the right confront and cross-examine witnesses against me; and the right not to be compelled to members would have to agree that I am guilty.

- (9) I know that if I plead "GUILTY", I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) I know that if I plead "GUILTY", the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment which, as provided by law is 20 years imprisonment or a fine of \$1,000,000.00 (or both) for the offense(s) charged in Count(s) I of the Indictment.

If at this time I am at least 18 and not more than 26 years of age, I know that the Court may sentence me under the provisions of the Youth Corrections Act or as a Young Adult Offender for an indeterminate sentence (18 U.S.C. sec. 5010(b), which may require me to spend as long as six (6) years in a penal institution, even though the maximum term of confinement set by statute (see (11) above) may be less than six (6) years.

- (12) If I am on probation or parole in this or any other court, I know that by pleading guilty here, my probation or parole may be revoked and I may be required to serve time in that case, which will be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of leniency if I plead "GUILTY", except as follows: (Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) on this page.

If anyone else, including my attorney, made such a promise, suggestion, or predication, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of guilty.

(14) My plea of guilty (15) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of guilty is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

fully understand that the Court is not bound by the terms of the plea agreement, and may the Court will give me the opportunity to withdraw my plea of guilty.

<sup>(15)</sup> I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he innocent and, with that in mind, and because I am "GUILTY" and do not believe I am mocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:**
Guilty as to Count I
(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are: Soma Compound, muscle relaxation for lower back.  (If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.) None
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of guilty is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.  (20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in the court of the court
as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this 11th day of September , 1989.  Defendant
. Subscribed and Sworn to before me this 11th day of September , 1989.
B Mcallough Deputy Clerk
CERTIFICATE OF COUNSEL
The undersigned, as lawyer and counselor for the defendant Loren Eugene Hall,  Jr. , hereby certifies:
(1) I have read and fully explained to the defendant the allegations contained in
The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s)", "NOT GUILTY as charged in Count(s)", "NOT GUILTY as

the Indictment in this case.

- (2) To the best of my knowledge and belief, the statements, representations and beclarations made by the defendant in the foregoing petition are in all respects accurate and true.
- (3) I explained the maximum penalty for each count to the defendant, and since the defendant is 34 years of age, I have informed him that he may be sentenced under the provisions of the Youth Corrections Act or as a Young Adult Offender, and that if he is given an indeterminate sentence under the provisions of 18 U.S.C. sec. 5010(b) he may be required to spend as much as six (6) years in a penal institution, even though the maximum term of imprisonment set by statute may be less than six (6) years.
- (4) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts he related to me and is consistent with my advice to the defendant.
- (5) In my opinion, the defendant's waiver of reading of the Indictment.in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (6) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (7) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below: None
- (8) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (13) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full dis assion of the contents of this certificate with the defendant, this 11th day of September , 1989

ORDER

I find that the plea of guilty was made by the defendant freely, voluntarily, and because he is guilty as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime charged and is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea of "GUILTY" be accepted and entered as prayed for in the Petition and as recommended in the certificate of his lawyer.

Done in open Court this 11th day of September , 1989

Janua Cllicon
UNITED STATES DISTRICT JUDGE

Attorney for the Defendant

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA	
Plaintiff(s),	Case No. 89-CR: 83-03-E
vs.	Date 8-28-89
Porun Eugene Hall, Jr.  Defendant (s).	PROCEEDING MIX/BOND  Reduction
JUDGE COOK Deputy R. Millo JUDGE ELLISON Deputy McCullor JUDGE BRETT Deputy Overton JUDGE WOLLD Deputy	ugh Reporter Dorrough
COUNSEL FOR: Plaintiff  Defendant	in Weslet
ANUTES:	er succe
of bond - granted.	for ary on Moxfreduction
It reduces froud so:	: \$ 20,000 unslewed
Premanded to custody: pl	uding satis of boul.
Boulsman appears 4	executes bond & released
· · · · · · · · · · · · · · · · · · ·	
LIST WITNESSES ON BACK:	

# United States District Court

NOI	RTHERN DIST	TRICT OF OKLAHOMA
U.S.A.		
V.		NOTICE
KENT PATRICK THIMM PAUL LASSLEY	ESCH, a/k/a	CASE NUMBER: 89-CR-83-02-E
TYPE OF CASE:	□ CIVIL	☑ CRIMINAL
X TAKE NOTICE That a p	roceeding in this case has bee	n set for the place date, and time set forth below:
PLACE		ROOM NO.
U S COURTHOUSE		COURTROOM #2
TULSA OKLAHOMA		DATE AND TIME
		SEPTEMBER 18, 1989, 9:30 A.M.
TAKE NOTICE that the	proceeding in this case has be	en continued as indicated below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME
8-21-89 Date	1	JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT  Beverly McCullough  (BY) DEPUTY CLERK
In Chaples Class		
To: Jo Stanley Glenn		

Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 8-30-89

GOVERNMENT RESPONSES DUE: 9-7-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 9-7-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

RILAD

UNITED STATES OF AMERICA,	AUG 24 1989 C
Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
VS.	
	No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	)
KENT PATRICK THIMMESCH a/k/a	) INDICTMENT
PAUL RICHARD LASSLEY,	[21 U.S.C. Sections 846, 841(a) (1):
LOREN EUGENE HALL, JR.,	Conspiracy to Manufacture;
BARBARA ANN MARTENEY,	Possess with Intent to
DAVID ROYSE LADD, and	Distribute; and to Distribute
MICHAEL STEVEN HALL,	) Methamphetamine;
	) 21 U.S.C. Section 853: Forfeiture
Defendants.	)

#### ORDER

Upon consideration of the Defendant's unopposed Motion For Bond Reduction, the Court finds that the same should be set for hearing on the 2 day of August, 1989 at 3:00 o'clock p.m.

IT IS SO ORDERED this 24th day of August, 1989.

MAGISTRATE UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

U.S. DISTRICT COURT

AUG 22 8 7 Jack C. Silver, Clerk

UNITED STATES OF AMERICA,

Plaintiff.

vs.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD, and MICHAEL STEVEN HALL,

Defendants.

89-CR-83-E

INDICTMENT [21 U.S.C. Sections 846, 841(a)(1): Conspiracy to Manufacture: Possess with Intent to Distribute; and to Distribute Methamphetamine; 21 U.S.C. Section 853: Forfeiture]

## MOTION FOR BOND REDUCTION

COMES NOW the Defendant, Loren Eugene Hall, Jr., and requests this Court to set this matter for a bond reduction hearing. As grounds for said hearing the Defendant would state:

- The United States District Attorneys Office does not oppose this motion for bond reduction.
- That the bond is presently set in the amount of Twenty-Five Thousand Dollars (\$25,000.00) cash or surety and that additional information has been obtained concerning the background of the Defendant to aid the Court in lowering the bond.

JIM/H. HESLET, OBA# 4154 5561 South Lewis, Suite 200 Tulsa, Oklahoma 74105

(918) 747-1058

## CERTIFICATE OF DELIVERY

I hereby certify that on this L day of August, 1989, I delivered a true and correct copy of the above and foregoing Motion For Bond Reduction to: The United States District Attorneys Office, United States Courthouse, 333 West Fourth Street, Tulsa, Oklahoma .

## nited States Bistrict Court OKLAHOMA DISTRICT OF

UNITED STATES OF AMERICA

ORDER OF DETENTION PENDING TR 89-CR-83-02-E KENT P. THIMMISCH Defendant In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts are established by clear and convincing evidence and require the detention of the defendant pending trial in this case. Part I - Findings of Fact The defendant has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is a crime of violence as defined in 18 U.S.C. §3156(a)(4). an offense for which the maximum sentence is life imprisonment or death. an offense for which a maximum term of imprisonment of ten years or more is prescribed in a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. §3142(f)(1)(A)-(C), or comparable state or local offenses. The offense described in finding 1 was committed while the defendant was on release pending trial for a federal, state or local offense. A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding 1. Findings Nos. 1 and (2) (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presump-**Alternative Findings**  $\mathbf{K}\mathbf{X}$ There is probable cause to believe that the defendant has committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 USC § 801 under 18 U.S.C. §924(c). XX The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community. **Alternative Findings**  $\overline{\mathbf{x}}$ Defendant has waived detention hearing (1)(2) There is a serious risk that the defendant will flee. There is a serious risk that the defendant will (obstruct or attempt to obstruct justice) (threaten, injure, or intimidate a prospective witness or juror). Part II - Written Statement of Reasons for Detention I find that the credible testimony and information.3 submitted at the hearing establishes by clear and convincing evidence that 1) The pretrial services report reveals that the defendant is presently serving a parole term for felony convictions involving violence. Part III - Directions Regarding Detention The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections fact ity shall deliver the defendant to the United States

Judicial Officer

marshal for the purpose of an appearance in connection with a court proceeding.

Dated:

<sup>&</sup>lt;sup>1</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>&</sup>lt;sup>2</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>3&</sup>quot;The rules concerning admissibility of evidence in criminal trials do not apply to the presentation and consideration of information at the [detention] hearing." 18 U.S.C. §3142(f). See 18 U.S.C. §3142(g) for the factors to betaken into account.

## MINUTE SHEET - CRIMINAL

	Date 8-21-89 USA v. Hent Gatrick Minmisch (Age)							
	ARRAIGNMENT &/OR CHANGE OF PLEA							
	JUDGE COOK       Deputy R. Miller       Reporter Simpson         JUDGE ELLISON       Deputy McCullough       Reporter Dorrough         JUDGE BRETT       Deputy Overton       Reporter Caslavka         MAG. WAGNER       Deputy Miller       Reporter         MAG. WOLFE       Deputy Mayes       Recorded							
	Counsel for Government Counsel for Defendant  Retained; Court Appointed; Federal Public Defender							
/	Defendant appears in person with counsel; without counsel; counsel waived							
J	Defendant acknowledges receipt of Indictment; Information							
	Waives Indictment; jury trial; 30 days preparation; separate representation							
/	Defendant advised of charge and arraigned							
V	Indictment, Superseding Indictment; Information; Superseding Information; Filed; read; reading waived							
	Enter plea of NG as to Counts all							
	Defendant withdraws plea(s) of Not Guilty to Counts							
	Counts to be dismissed at sentence							
	Petition to enter plea of guilty sworn to and executed; Defendant relate facts of charge; petition approved and filed							
	Defendant adjudged guilty as charged in Counts							
	SENTENCE SET, PSI ordered							
,	Defendant allowed to stand on present bond; Defendant remanded to USM							
	Defendant(s) to file any and all pre-trial motions.  Government to respond.  Discovery disputes.  Pre-trial conference & hearing on motions at  Parties to file any suggested voir dire, inst. & trial briefs  Jury trial; Non-Jury trial at							
	Dord defaned pending trial. Arr Aild. Sched dates							
	The the Mailed. W remanded to custody of usm.							
	$\sqrt{c}$							

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

## Minute Sheet - General

USA	
Plaintiff(s),	Case No. 89-C/2-63-06-E
VS.	Date 8-17-89
Michael Steven Hall	PROCEEDING appl to Modify
Defendant(s).	and of rel
JUDGE COOK Deputy R. Miller JUDGE ELLISON Deputy McCullough JUDGE BRETT Deputy Overton JUDGE Deputy Nulle	Reporter Dorrough Reporter Caslavka
COUNSEL FOR: Plaintiff_	cle Morgan
Defendant	Varied Booth
ANUTES:	hearing on appl to modify
Cond of release.	Alaring on appl to modify
A requests a tuduction e	i bond.
Ch grants requests & sets amended bond & amended	@ \$25,000 unsecured bond. Und of hel executed.
A heleased.	U
	V
LIST WITNESSES ON BACK:	

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AM Plai	MERICA, ) intiff, )			,
vs.	) ) )	No.	89-CR-83-06-E	
MICHAEL STEVEN HALL Defe	) L, et al., ) endants. )			

## BRIEF IN SUPPORT OF MOTION FOR CHANGE IN CONDITIONS OF RELEASE

The defendant, Michael Steven Hall, by and through counsel, has moved for an order changing his conditions of release. Pursuant Local Rule 15(A), this brief is being submitted in support of that motion.

- 1) Defendant has previously been determined by this court to be indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;
- 2) Conditions of release have previously been set by this court. One of the conditions requires that defendant post a \$5,000.00 corporate surety bond;
- 3) Defendant is financially unable to post the previously referenced corporate surety bond and remains in the custody of the United States Marshal Service at the Tulsa County Jail;
- 4) Defendant submits that contrary to 18 U.S.C. §3142 (c)(2), the judicial officer has imposed a financial condition that has resulted in the pretrial detention of defendant; and,
- 5) Defendant submits that pursuant 18 U.S.C. §3142(c)(1) non-financial conditions can be imposed that will reasonably

assure the appearance of defendant as required. Danger to the safety of any other person or the community is not at issue.

Based on the preceding, the Defendant respectfully requests that a hearing be scheduled for the reconsideration of Defendant's conditions of release.

Respectfully submitted.

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581-7656

FTS 745-7656

Counsel for Defendant

Michael Steven Hall

## CERTIFICATE OF SERVICE

I hereby certify that on this the 17th day of August, 1989, I caused a true and correct copy of this Brief in Support of Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, United States Attorney, counsel for Plaintiff.

David Boots

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA OKLAHOMA OKLAHOMA OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff.

vs.

No. 89-CR-83-06-E

MICHAEL STEVEN HALL, et al., Defendants.

## MOTION FOR CHANGE OF CONDITIONS OF RELEASE

The defendant Michael Steven Hall, by and through counsel, moves the court for an order changing his conditions of release. Defendant has been unable to meet the conditions previously set and remains in custody at the Tulsa County Jail.

A brief in support of this motion is being filed simultaneously with the motion. A proposed order setting this matter for hearing is being included for the court's convenience.

Respectfully submitted.

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581-7656

FTS 745-7656

Counsel for Defendant

Michael Steven Hall

## CERTIFICATE OF SERVICE

I hereby certify that on this the day of August, 1989, I caused a true and correct copy of this Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff.

David Booth

8-16-89

United	States	<b>Bistr</b>	tet Q	oui	ct
NORTHERN	DISTRIC			AHOMA	AUG 1 6 108
UNITED STATES OF AM					Jack C. Silver, ( U.S. DISTRICT CO
V.			ING HE		RY DETENTION PURSUANT TO M ACT
KENT P. THIMMESCH					
Defendant		Case Nur	nber:	89-CR-	-83-02-Е
Upon motion of theUNIT	ED STATES OF	AMERICA		;	it is ORDERED that a
detention hearing is set for	21-89	* at	9:	30 1	m
	Date			Ti	me
beforeJOHN LEO	WAGNER, U.S.	MAGISTRA e of Judicial O			
Room 4-5	32, U.S. Cour	thouse, I	ulsa,	OK 74	103
	Location of Jud	licial Officer			
Pending this hearing, the defendant sl	hall be held in custod	ly by (the Unit	ted States	marshal)	(
	Other Custodial Of	G-:-1		_) and pr	oduced for the hearing.
	Janes Justousus Of		7 . /	/	

Judicial Officer

Date:

<sup>\*</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

## UNITED STATES DISTRICT COURT FOR THE TED

UNITED STATES OF AMERICA, Plaintiff,	Jack C. Star. Closs U.S. D'URIOT COURT		
vs.			
KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley	No.89-CR-83-E		
Defendant.	MOTION FOR DETENTION HEARING		

Pursuant to 18, U.S.C. § 3142(f), the United States of America hereby requests that the court hold a hearing to determine whether any condition, or combination of conditions, as set forth in 18 U.S.C. § 3142(c), will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

The detention hearing requested herein is sought based upon the following:

- The offense charged is a crime of violence;

  The offense charged carries a maximum sentence of life imprisonment or death;

  The offense charged carries a maximum term of imprisonment of ten years or more pursuant to the Controlled Substances Act (21 U.S.C. § 801 et. seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951 et. seq), or section 1 of the Act of September 15, 1980 (21 U.S.C. § 955(a);

  The offense charged is a felony which was committed after the defendant had been convicted of two or more prior offenses described in 18 U.S.C.
- local offenses that would have been offenses if a circumstance giving rise to federal jurisdiction had existed;

§ 3142(f)(1)(A) through (D), or two or more state or

The existence of a serious risk that the defendant will flee;

The existence of a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

Assistant United States Attorney

3600 U.S. Courthouse Tulsa, Oklahoma 74103 (918) 581-7463

INFORMATION	SHEET
-------------	-------

	ATTOM SHEET
	Before Magistrate: Wagner () Wolfe ()
Case No. 89-CR-83-02-E	
UNITED STATES OF AMERICA V. Kent	L. P. Thummeal
Defendant's Age Sex D	ate of Birth 12/24/4FILED
Defendant's Address UNK.	AUG 1 6 1988
	Jack C. Strait Clark
	(Phone #)
Date of Arrest an obout 8/10/099	Arrested by Usy Davies
Bail Fixed \$ DETENTION	(Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$	(Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made	
( ) Refrain from ( ) Successful p	rected icted to ND/OK and possession of firearm, etc. earticipation in drug screening
Preliminary Exam: Date Scheduled	at
Arraignment: Date Scheduled	at
Tulsa, OK	Y Glenn (Ct.Apptd) (Retained 6/4 St.  74/05 (Phone #) 749-553/
Attorney for USA:	der Jum Swarty for Jock
Remarks: Remarks: NEWW	U Schebuch por 4:00 m
Minute: Dapplars for IA.  + present: arr + det h	finan offid rec'd FPO appt ry set 8-21-89 @ 9:30 Am.
Defendant remanded to custody of	U. S. Marshal.
1/	

## FINANCIAL AFFIDAMIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN TH	IN UNITED STA	TES MAGISTRATE   DISTRICT   APPEALS COU		7974737 7776
L		vs. FOR	01<	1
	CHARGE/OFFENS	E (describe if applicable & check box +) Felony  Misdemeanor  USC 846 841 CaSCI  APPLICATION OF EXAMPLES	1 Defendant—Adult 2 Defendant—Juvenile 3 Appellant 4 Probation Violator 5 Parole Violator 6 Habeas Petitioner	Docket Numbers  Magistrate  District Court  Court of Appeals
	* * * * * * * * * * * * * * * * * * * *	ANSWERS TO QUESTIONS REGARD		and the second second
	EMPLOY- MENT	Are you now employed? Yes No  Name and address of employer:  IF YES, how much do you earn per month? \$  If married is your Spouse employed? Yes  IF YES, how much does your Spouse earn per month \$ 50 Parent	IF NO, give month and year of How much did you earn per	month \$ur
ASSETS OTHER INCOME		Have you received within the past 12 months any income the form of rent payments, interest, dividends, retirement IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES		es? Yes No
	CASH	Have you any cash on hand or money in savings or chec	cking account Ves No IF YE	S, state total amount \$39
	PROP- ERTY	Do you own any real estate, stocks, bonds, note household furnishings and clothing)?   VALUE  IF YES, GIVE VALUE AND \$  DESCRIBE IT		
BLIGATI DEBTS	DEB' MON BILL (LIST A TORS, II BANKS, PANIES,	MARRIED  WIDOWED SEPARATED OR DIVORCED  APARTMENT OR HOME:  Creditors  Creditors  Creditors	st persons you actually support and you	Total Debt  Monthly Payt.  \$ \$ \$ \$
		NATURE OF DEFENDANT (OR PERSON REPRESENTED)	ne above to be correct.	52/ / 44

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED ST	TATES OF AMERICA,
	Plaintiff,
vs.	) NO. 89-CR-83-02-E
	)
KENT PAT	TRICK THIMMESCH
	<pre>Defendant(s) )</pre>
	ORDER APPOINTING COUNSEL
employ c affiant(s accordance	this 16th day of AUGUST, 1989, the above- ving completed an affidavit as to financial ability to counsel, and upon review, the Court finds that the s) is/are financially unable to obtain counsel. In the With the Northern District of Oklahoma Plan for the Criminal Justice Act of 1984,
IT I	IS HEREBY ORDERED that the:
	Federal Public Defender is appointed to represent the following:  all further proceedings unless and until relieved by order of the court.
xx	Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  KENT PATRICK THIMMESCH
	Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
	Federal Public Defender is temporarily appointed to represent the following:
	for purposes of initial appearance only.
Date	ed this 16th day of AUGUST, 19 89.
	Med 16
	JOWN LEO WAGNER UNITED STATES MAGISTRATE
	STATES MAGISTRATE

Offer

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA Minute Sheet - General

USA	
	Time
Plaintiff(s	case No. 89-CR-83-03+06-E
vs	Date 7-31-89
Loren Eugene Ha	U. J. PROCEEDING Hran mot
Michael Steven	Hall Reduce Bond
Defendant(s	s)
MAGISTRATE Wagner Deputy	alexander Reporter Jape # 1117
COUNSEL FOR PLAINTIFF:	ack Morgan; Scott Horton,
	rgent
COUNSEL FOR DEFENDANT:	avid Booth-Michael Hall
eset w/ counsel.	im Heslet - Loren Hall gr.
MINUTES: Parties prese	at witnesser + make closing
comments re: red	uction of band. Mag. reduces
fond for Michael 1	Hall to \$5,000 C/9. all other
conditions remain	w the same up addit condition
that he live w	1 mother, Joan Rankin in
Hutchinson KS.	storen Hall's bend reduced
To \$25,000 c/S. ac	el other conditions remain
the same. 15	remanded to USM.
LIST WITNESSES	A Control of
Joan ann Rank	in (mother) Phellip Scott Harton
michael Steven	in (mother) Phillip Scott Harton Hall (agent)
Linda Hall (2	de la vife

# Anited States Pistrict Court Aug 04 1989 W

89 JUL 28

DISTRICT OF -

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

OF OKLAHOMA MICHAEL STEVEN HALL

89 62 0707 0187D WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal and any Authorized United States Officer 89CR

83E

YOU ARE HEREBY COMMANDED to arrest	MICHAEL STEVEN HALL Name
and bring him or her forthwith to the nearest magistr	rate to answer a(n)
X Indictment Information Complaint Orde	er of court   Violation Notice   Probation Violation Petition
charging him or her with (brief description of offense)	
Conspiracy to Manufacture; Possess Methamphetamine; Forfeiture	with Inent to Distribute; and to Distribute
in violation of Title 21 United States	Code Section(s)846 - 841(a)(1) 853
	Code, Section(s)
Name of Issuing Officer  Signature of Issuing Officer	Title of Issuing Officer  JUL 0 6 1989  Date and Location
Bail fixed at \$	by
	RETURN
This warrant was received and executed with the arr	rest of the above-named defendant at 7200 E, 304
DATE RECEIVED  NAME AND TITLE OF ARRESTING OFFI  DATE OF ARREST  Duly 10, 1989  Fiddie R. De He	CIDUSTO 1

To: The United States Marshal

# United States District Court Aug 04 1989 fw

NORTHERNOG JUL 28 P BISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

OF UKLAHOMA

89 62 0707 0184D

LOREN EUGENE HALL, JR.

and any Authorized United States Officer

CASE NUMBER:

89CR

83E

YOU ARE HEREBY COMMAND	ED to arrest LOREN EUGENE HALL, JR.
and bring him or her forthwith to the nea	rest magistrate to answer a(n)
	int   Order of court   Violation Notice   Probation Violation Petition
charging him or her with (brief description of offen	ise)
Conspiracy to Manufacture Methamphetamine; Forfeitu	; Possess with Inent to Distribute; and to Distribute re
in violation of Title21 Un	ited States Code, Section(s) 846, 841(a)(1), 853
JACK C. SILVER Name of Issoing Officer	
Maine of issuing winder	Title of Issuing Officer JUL 0 6 1989
Signature of Issuing Officer	Date and Location
Bail fixed at \$	Name of Judicial Officer
	RETURN
This warrant was received and executed	with the arrest of the above-named defendant at 53 PST, NorTh
& Brosdway, Wichita	Kansas
DATE RECEIVED NAME AND TITLE OF AI	
	e Herrera
	- Cam Coursella

JUL 27 1939 OF

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

MICHAEL STEVEN HALL,
et al.,

Defendants.

#### ORDER

This matter came before the court upon defendant's Motion for Reconsideration of the Conditions of Release and the brief in support of that motion. After having considered the motion and brief, the court hereby schedules this matter for hearing at 3:00 p.m. on Monday, the 31st day of July, 1989.

DATED this the day of July, 1989.

Honorable John L. Wagner United States Magistrate

94-1

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUL 27 1989 (1) dack C. Silver, Clerk

UNITED S	STATES (	OF AMERICA, Plaintiff,		Jack U.S.	C. Silver, Clerk DISTRICT COURT
vs.			NO. 89-CR-83-06-E	/	
MICHAEL et al.,	STEVEN	HALL,			
		Defendants.			

### BRIEF IN SUPPORT OF MOTION FOR RECONSIDERATION OF CONDITIONS OF RELEASE

COMES NOW the defendant, Michael Steven Hall, pursuant Local Rule 15(A) and submits this brief for filing. In support of his Motion for Reconsideration of Conditions of Release, defendant states:

- Defendant has previously been determined by this court to be an indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;
- 2) Conditions of release have previously been entered by this court. One of the conditions requires that defendant post a \$10,000 corporate surety bond;
- 3) Defendant is financially unable to post the previously referenced corporate surety bond and has remained in custody of the United States Marshal Service at the Tulsa County jail;
- 4) Counsel has spoken with defendant's mother, Mrs. Joan Rankin of 213 East First #B, Hutchinson, Kansas, 67501, (316) 669-9403;
- 5) Mrs. Rankin states that she is willing to act as third party custodian for her son and that he may live with her at the above referenced location during the pendency of this action.

Based on the preceding, the defendant respectfully requests that a hearing be scheduled at which time testimony can be given and the court can reconsider his conditions of release.

Respectfully submitted,

DAVID BOOTH

FEDERAL PUBLIC DEFENDER
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656
COUNSEL FOR DEFENDANT,
MICHAEL STEVEN HALL

#### CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Brief in Support of Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.

DAVID BOOTH

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUL 27 1989 OUT

UNITED STATES OF AMERICA,

Jack C. Silver, Clerk U.S. DISTRICT COURT

Plaintiff.

Vs.

NO. 89-CR-83-06-E V

MICHAEL STEVEN HALL, et al.,

Defendants.

#### MOTION FOR RECONSIDERATION OF CONDITIONS OF RELEASE

comes now the defendant, Michael Steven Hall, and respectfully moves the court for an order setting a hearing at which time the court will reconsider his conditions of release. Pursuant Local Rule 15(A), defendant includes for filing his brief in support of this motion. A proposed order scheduling the hearing sought is being included for the court's convenience.

Respectfully submitted.

DAVID BOOTH

FEDERAL PUBLIC DEFENDER
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656
COUNSEL FOR DEFENDANT,
MICHAEL STEVEN HALL

#### CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.

DAVID BOOTH

CJA 20 (Int 1/88) APPOINTMEN						
L. JURISDICTION 3 APPEALS		2. MAG. DOCK	ET NO.	,		
MAG. 2 TOTHER				89-CR-03-0		0154502
	STRICT/CIRCUIT)  KLAHOMA	6. LOC. CODE OKNTU		7. CHARGE/OFFENSE 21:846,841 (a	(U.S. or other godercitation)	7A, CASE COD
. IN THE CASE OF U.S.A. VS	HALL			ON REPRESENTED (FULL N EUGENE HALL	NAME)	9A. NO. REPRES.
0. PERSON REPRESENTED (STATUS)	-			CEEDINGS (Describe brief)		
1 DEFENDANT-ADULT 3	APPELLANT 5	OTHER		Proceedings		
2 DEFENDANT-JUVENILE 4	APPELLEE _		2 3 min min	. I Locceanige		
2. PAYMENT CATEGORY A FELONY C PETT B MISDEMEANOR D APPE	Y OFFENSE E	OTHER				
			<u> </u>			
3. COURT ORDER  O Appointing Counsel F Subs	s. for FD P L Sub	s. for Panel Att	у	Name of prior	panel attorney	
C Co-Counsel R Subs. for Re	tained Atty.		Appt. Date	e	Vouche	r No
Because the above-named "person reprotherwise satisfied this court that he or		d under oath or I	has 1.	4. NAME OF ATTORNEY/		
counsel and (2) does not wish to waive	counsel, and because	e the interests of	f	MAILING ADDRESS		
justice so require, the attorney whose r represent this person in this case.	name appears in item	14 is appointed	to	Jim Heslet		
represent this persons in this case.	/			5561 S. Lewis,	Ste. 2	200
Min Stall	67			Tulsa, OK 7410		
Sig. of Presiding Judicial Off	ficer or By Order of (	Court (Clerk/De	puty)			
July 20, 1989						
		Tunc Date	<u>-</u>	5. TELEPHONE NO.		SEC. NO.
Date of Order				(918) 747-1058	3 444-	40-4001
	CLAIN	FOR SERVI	CES OR I	EXPENSES		
SERVICE		HOU	RS	DATES		Multiply rate per hor
7. a. Arraignment and/or Plea						times total hours to obtain "In Court"
b. Bail and Detention Hearings						compensation.
c. Motions Hearings						Enter total below.
_ d. Trial						Enter total below.
					<del>)</del>	
5				· A NO 350 8		-
				0 - 4000		
g. Appeals Court				JUL 2 6 1989	0	17A. TOTAL IN COURT COMP.
h. Other (Specify on additional sheet:	*					
(Rate per hour = \$60	) TOTAL HOURS	=		lack C. Silver, Cler	4	\$
8. a. Interviews and conferences				I.S. DISTRICT COUR	T	Multiply rate per hou times total hours.
b. Obtaining and reviewing records				TO DIVINION GOOK	61	Enter total "out of court" compensation
c. Legal research and brief writing						below.
d. Travel time (Specify on additional	sheets)					18A. TOTAL OUT O
	ify on additional shee	ets)				COMPENSATIO
(Rate per hour = \$40	) TOTAL HOURS	=				s
TRAVEL, LOL' G. MEALS ETC.	AMOUNT		OTHER EX	XPENSES	AMOUNT	19A. TOTAL TRAVE
						EXP.
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						20. GRAND TOTAL
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						\$
						Ψ
I CERTIFICATION OF ATTORNEY OF				то		
			annlied for	7 DVES DNO		
1. CERTIFICATION OF ATTORNEY/PA	ent No	vroviously been :	cibletted to:	low much?	as the merenn re	proconted maid and
Final Payment     Interim Payme	or work in this case a	oreviously been a ou paid?	[lad			Presented baid any
Final Payment   Interim Paymelas compensation and/or reimbursement for yes, were you paid? YES NO If yourself to you, or to your knowledge to an	or work in this case p yes, by whom were y	ou paid?	H	nich you were appointed to	provide represe	ntation? YES TIN
Final Payment     Interim Paymelas compensation and/or reimbursement for yes, were you paid?   YES   NO If your knowledge to an yes, give details on additional sheets.	or work in this case p yes, by whom were y yone else, in connect	ou paid?	tter for wh	nich you were appointed to	provide represe	ntation? YES I
Final Payment   Interim Payme is compensation and/or reimbursement for yes, were you paid? YES NO If yoney to you, or to your knowledge to an yes, give details on additional sheets.	or work in this case p yes, by whom were y yone else, in connect if the	ou paid? ion with the ma	itter for wh	hich you were appointed to	provide represe	ntation? LI YES I
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Final Payment   Interim Paymelias compensation and/or reimbursement for yes, were you paid? YES NO If yoney to you, or to your knowledge to an yes, give details on additional sheets.  Swear or affirm the truth or correctness of bove statements	or work in this case pyes, by whom were yyone else, in connect  f the SIGNATURE	ou paid?ion with the ma	itter for wh	E  SE  25. OTHER EXP	provide represe	ATE  26. TOTAL AMT. APPROVED/CER
Final Payment	or work in this case pyes, by whom were yyone else, in connect  f the SIGNATURE	ou paid?ion with the ma	itter for wh	nich you were appointed to	provide represe	ntation? LYES N ATE 26. TOTAL AMT.
Final Payment    Interim Paymelas compensation and/or reimbursement for yes, were you paid? YES NO If yoney to you, or to your knowledge to an yes, give details on additional sheets. swear or affirm the truth or correctness obove statements	or work in this case gives, by whom were y yone else, in connect of the SIGNATURE T OF COURT COMP	ou paid?	EY/PAYEE	E  SE  25. OTHER EXP	provide represe	ATE  26. TOTAL AMT. APPROVED/CER  27A. JUDGE/MAG.

DISTRICT OF KANSAS

Juk C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

89-9R-83-06-E

V.

WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

MICHAEL STEVEN HALL

Case Number:

89-1081M-01

I,Michael Steven Hall	, ur	nderstand that in the
Northern District of	Oklahoma ,	charges are pending
alleging violation of 21 USC 846; 841; 853	Drugs	and that I have been
arrested in this District and taken before a United States right to:	Magistrate, who informed me of the	ne charge and of my
(1) retain counsel or request the assignment of counsel if I proceedings to this district pursuant to Rule 20, Fed. R. C to determine if I am the person named in the charge, and been returned or an information filed) to determine who been committed by me, the hearing to be held either in t	Orim. P., in order to plead guilty, (3) (4) a preliminary examination (unle ether there is probable cause to be	) an identity hearing ss an indictment has
I HEREBY WAIVE (GIVE UP) MY RIGHT TO	) A(N): JUL 1 7	1989
( X) identity hearing	RAI PHIL DALO	CH OLEDY
( ) preliminary examination	By Ola R	Ou Deputy
( ) identity hearing and have been informed I have n	o right to a preliminary examinatio	on .
( ) identity hearing but request a preliminary examina	ation be held in the prosecuting dis	strict
and, therefore, consent to the issuance of an order require charge is pending against me.	ing my appearance in the prosecution	ng district where the
July 13, 1989  Date	Defendant  Like Half  Defendant  Like Counsel	vel

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

#### PRETRIAL PROCEEDINGS

CASE NO. 39-1081/h-01

UNITED STATES OF AMERICA  VS.  A  R  R  B  C  E  S  () Retained () Appointed   KANSAS CITY  WICHITA X  REPORTER:  DATE: 7-//-69  PROCEEDINGS  () Probation Revocation  (X) RULE 5  () DENTENTION HEARING () ARRAIGNMENT & PLEA  () APPEARANCE () APPEARANCE () APPEARANCE () APPEARANCE () Constitutional Rights Explained () Constitutional Rights Explained () Constitutional Rights Explained () Declines to Waive Indictment () Signed Consent to Transfer under Rule 20 () Petition for Probation Action () Petition to Enter Plea filed () Waived Reading of:  () Information () Number of Counts () Information () Violation Notice () Information () Number of Counts () Information () Pead to Defendant			\h_1 1	FILED	
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JUDGE: Wooley KANSAS CITY  CLERK: Larew WICHITA Y  REPORTER: TOPEKA  DATE: 7-//-P9 PROCEEDINGS  () Probation Revocation  (X) RULE 5 () DENTENTION HEARING () MAIVER OF INDICTMENT (X) FELONY  () HANGE PLEA () APPEARANCE (X) Def. sworn to financial status (X) Declines to Waive Indictment () Will be presented to next Grand Jury () Signed Waiver of Indictment () Information filed on () Signed Consent to Transfer under Rule 20 () Petition for Probation Actio () Petition to Enter Plea filed () Complaint () Violation Notices () Waived Reading of: () Information () Number of Counts () Previous Plea: () Guilty () Not Guilty Counts: Withdraw () Guilty () Not Guilty () Set for trial (X) Bail \$ 10 000.00 C/p () Continued on Present Bail (X) Remanded to custod: () Remain at \$ () Release ordered () Detention ordered () Remain at \$ () Release ordered () Detention ordered () Remain at \$ () Release ordered () Detention ordered () Remain at \$ () Release ordered () Detention ordered () Responses or briefs filed by: Reply Briefs:  Motions to be filed by: Reply Briefs:  Motions heard on: Tentative Trial Date:	<b>vs.</b>			RAIPH L. DeLOACH, CLI	ERK
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**KANSAS** 

	DISTRICT OF	JUL 1 3 1989
	RALPH	H L. DeLOACH, CLERK
UNITED STATES OF AMERICA		ulaRay Deput
V.	ORDER SETTING CO OF RELEA	
ATCUART CHRURN HALL	Case Number: 89-1081M-01	
IICHAEL STEVEN HALL Defendant		
IT IS ORDERED that the release of th	e defendant is subject to the following conditions:	
(1) The defendant shall not commit a	ny offense in violation of federal, state or local law	while on release in this
case.		
(2) The defendant shall advise the contelephone number and	ourt and the U.S. attorney in writing prior to any chall place of employment (and teled proceedings as required and shall surrender for s	phone number)
(2) The defendant shall advise the contemporation telephone number and (3) The defendant shall appear at all	I place of employment (and teled proceedings as required and shall surrender for sunt shall next appear at (if blank, to be notified) 326	ephone number) ervice of any sentence  U. S. Courthou
(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendant	l place of employment (and tele l proceedings as required and shall surrender for s	ephone number) ervice of any sentence  U. S. Courthout Place
(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendant	I place of employment (and teled proceedings as required and shall surrender for sunt shall next appear at (if blank, to be notified) 326	ephone number) ervice of any sentence  U. S. Courthon Place
(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendation wichita, Kansas	I place of employment (and teled proceedings as required and shall surrender for sunt shall next appear at (if blank, to be notified) 326	ephone number) ervice of any sentence  U. S. Courthon Place
(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendation wichita, Kansas	on July 12, 1989 at  Date and Time  Translation of Employment (and tele  and shall surrender for shall surrender for shall next appear at (if blank, to be notified) 326  and July 12, 1989 at  Date and Time	ephone number) ervice of any sentence  U. S. Courthon Place
(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendant Wichita, Kansas  Release on Period IT IS FURTHER ORDERED that the content is the content in the content is the content in the con	on July 12, 1989 at  Date and Time  Translation of Employment (and tele  and shall surrender for shall surrender for shall next appear at (if blank, to be notified) 326  and July 12, 1989 at  Date and Time	ephone number) service of any sentence  U. S. Courthor  Place  1.30 p.m.
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(2) The defendant shall advise the contelephone number and (3) The defendant shall appear at all imposed as directed. The defendant Wichita, Kansas  Release on Per  IT IS FURTHER ORDERED that the original imposed.  (4) The defendant promises to appear imposed.  (5) The defendant executes an unserviced in the content of	I place of employment (and tele I proceedings as required and shall surrender for so and shall next appear at (if blank, to be notified) 326 on July 12, 1989 at Date and Time  resonal Recognizance or Unsecured Bond defendant be released provided that:  at all proceedings as required and to surrender for so	ephone number) service of any sentence  U. S. Courthou  Place  1.1:30 p.m.  service of any sentence  ted States the sum of

#### **Additional Conditions of Release**

the safety	of of	ding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and ther persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ked below:
( ) (6)	(Na	e defendant is placed in the custody of: ume of person or organization)
	(Ad	ldress)
appearanc	es (a) e of t	ty and State)
		Signed:
		Signed: Custodian or Proxy
( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( (	) (a) (b) (b) (c) (d) (d) (e) (f) (g) (h)	e defendant shall: maintain or actively seek employment. maintain or actively seek employment. maintain or commence an educational program. abide by the following restrictions on his personal associations, place of abode, or travel: That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court. avoid all contact with the following HANTH POLYMEN HANTH
(-	) (j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
		post with the court the following indicia of ownership of the above-described property, or the following amount of percentage of the above-described money:
10	(l)	execute a bail bond with solvent sureties in the amount of \$ 10,000.
(	) (m)	o'clock for employment, schooling, or the following limited purpose(s):
(	) (0)	surrender any passport to

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both; (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

City and State

Telephone

#### Directions to United States Marshal

( ) The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody

Date:

Judicial Officer

### FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

.1111 1 3 1989

		JUL 1 0 1909
UNITED	O STATES OF AMERICA,	RALPH L. DeLOACH, CLERK
	Plaintiff, )	By Carla Ray Deputy
7	7.	Case No. 89-1081M-01
MICHAE	EL STEVEN HALL )	
	Defendant. )	
7	The defendant under oath has sworn o	r affirmed as to his
financ	cial inability to employ counsel.	
(	Offense: 21 USC 846: 841: 853 Dru	gs
1	Federal Public Defender	
	Appointed on7-11-89	by:
	X United States Magistrate John	B. Wooley
	United States District Judge	
(	Case assigned to: Federal Public De	fender
1	Defendant is committed to custody o	f the U. S. Marshal in
lieu	of posting \$10,000.00 cash or suret	y bond
	The following proceedings are set fo	or hearing on the dates
indic	ated:	
	1. Omnibus Hearing & Arraignment 2. Preliminary Hearing 3. Removal	, 19 , 19 , 19 , 19 89
	There ks are5_ co-defendant(s) i	in this case.
Dated July		XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	or By Or	rder of the Court

Clerk or Deputy Clerk

## FINANCIAL AFFIDA T

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN TH	IN UNITED STA	TES MAGISTRATE _ DISTRICT _ APPEALS COURT or _ OTHER PANEL (Specify below)  FOR  AT  AT  AT	LOCATION NUMBER
	Michau	ESENTED (Show your full name)  1 Defendant—Adult 2 Defendant—Juvenile 3 Appellant 4 Probation Violator 5 Parole Violator 6 Habeas Petitioner 7 2255 Petitloner 8 Material Witness 9 Other (Specify)	DCCKET NUMBERS  Magistrate  District Court  Court of Appeals
		ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY	
	EMPLOY- MENT	Are you now employed?   Name and address of employer:   IF YES, how much do you earn per month?   If married is your Spouse employed?   Yes No No Personal If a minor under age 21, what is your Spouse earn per month   NAME ARM Self Employed  IF NO, give month and year of How much did you earn per month   How much did you earn per month   Parents or Guardian's approximate month   NAME ARM Self Employed  IF NO, give month and year of How much did you earn per month   Parents or Guardian's approximate month   NAME ARM Self Employed  No N	onth \$ 800.00
SSETS	OTHER	Have you received within the past 12 months any income from a business, profession or other the form of rent payments, interest, dividends, retirement or annuity payments, or other sources  IF YES, GIVE THE AMOUNT  RECEIVED & IDENTIFY \$  THE SOURCES	
	CASH	Have you any each on hand or money in savings or checking account ☐ Yes No IF YES,	state total amount \$ 50
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable household furnishings and clothing)? Yes VALUE YALUE DESCRIPTION DESCRIPTION	property (excluding ordinary
BLIGATI DEBTS	ONS		elationship to them  Total Debt Monthly Payt.
1. is	CLIST AI TORS, II BANKS, PANIES, ACCOUNT	THLY  OR HOME: (0.5) 80. 6 labque 17.  LL CREDI- CLUDING LOAN COM- CHARGE (5, ETC.)  OR HOME: (0.5) 80. 6 labque 17.  Seaby (0.6) 6 labque 17.  Seaby (0.6) 80. 6 labque 17.  Seaby (0.6)	\$ 8 0.00 \$ \$ \$
the	11 Day 01	Certify the above to be correct.  NATURE OF DEFENDANT  OR PERSON REPRESENTED)  A Miles Half	7/11/89
WAR	HING: AF	ALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE IMPRISONMENT, OR BOTH	PUNISHÁBLE BY FINE

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491

FTS: 752-6491

490 U.S. COURTHOUSE 444 S.F. QUINCY TOPEKA, KANSAS 66683 (913) 295-2610 FTS: 752-2610 151 U.S. COURTHOUSE

812 NORTH SEVENTH KANSAS CITY, KANSAS 66101 RECEIVED 236:3719

July 19, 1989

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

> RE: United States of America v. Michael Steven Hall Mag. No. 89-1081M-01 Oklahoma No. 89 CR 83E

Dear Sir:

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

> Waiver of Removal Hearing Courtroom Minute Sheet dated 7-11-89 Order Setting Conditions of Release Appointment of Federal Public Defender Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very truly yours,

RALPH L. DELOACH, CLERK

cc: U.S. Attorney

Federal Public Defender

U.S. Magistrate U.S. Probation

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E	V	ы	Ų.
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DISTRICT OF \_\_\_KANSAS

UNITED STATES OF AMERICA

89-CR-83-03-EV

V.

WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

LOREN EUGENE HALL, JR.

Case Number: 89-1081M-02

I, Lore	en Eugene Hall,	Jr.		, understand that in the
Nor	thern	_ District of	Oklahoma	, charges are pending
alleging violation	on of 21 USC 846	841; 853	Drugs	and that I have been
arrested in this right to:	District and taken before	re a United State	es Magistrate, who in	formed me of the charge and of my
proceedings to to determine if been returned	this district pursuant to I am the person named it	Rule 20, Fed. R. in the charge, an to determine w	Crim. P., in order to d (4) a preliminary ex- thether there is proba	in counsel, (2) request transfer of the plead guilty, (3) an identity hearing transfer of the camination (unless an indictment has able cause to believe an offense has district of prosecution.
I HERE	EBY WAIVE (GIVE UP	) MY RIGHT I	O A(N):	
( ) identity	hearing			JUL 1 7 1989
( ) prelimir	nary examination		i E	RALPH L. DELOACH, CLERK By Cula Cay Deputy
( ) identity	hearing and have been	informed I have	no right to a prelimi	inary examination
( ) identity	hearing but request a p	reliminary exami	nation be held in the	e prosecuting district
and, therefore, charge is pendi	consent to the issuance ng against me.	of an order requ	iring my appearance	in the prosecuting district where the
July 14,	1989 Date		Defendant  Aug le Defense Coursel	E Hall VR Jun 10311

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

#### PRETRIAL PROCEEDINGS

CASE NO. 89-10817h-02

	A M/A - Mike Christensen
Losew Hall, Jr.	E A R A S. Chaig Robinson  C E S
	()Retained (X)Appointed
JUDGE: Wooley  CLERK: Larew Machine  REPORTER:	JUL 1 4 1989  KANSAS CITY  WICHITA  RALPH L. DeLOACH, CLEBREKA  By Cale Ray Deputy
DATE: 7-11-89 PROCEE	DINGS
(X) RULE 5 ( ) DENTENTION HE ( ) ARRAIGNMENT & PLEA ( ) WAIVE	EARING ( ) BAIL HEARING ( ) FELONY
	( ) Counsel appointed  ( ) Will be presented to next Grand Jury ( ) Information filed on  r Rule 20  ( ) Complaint ( ) Violation Notice ( ) Indictment ( ) Number of Counts ( ) Information ( ) Read to Defendant  Not Guilty Counts: Withdrawn Counts: Accepted Counts: Juvenile Delinquent as charged
()Remain at \$ ()Release	d on Present Bail (X) Remanded to custody ordered ( ) Detention ordered missed on Motion of U. S. Attorney at Time
Motions to be filed by:	
Responses or briefs filed by:	
Motions heard on:	
Tentative Trial Date:	
<ul> <li>( ) Defendant waived Omnibus Hearing</li> <li>( ) Defendant refused to proceed in Matrict Court</li> </ul>	Magistrate's Court and remanded to

#### CJA 23

## FINANCIAL AFFIDAVIT IN SUPPORT OF REQUEST FOR ATTORNEY, EXPLOY ON OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	N UNITED STATE	TES X MAGISTRATE DISTRICT APPEALS COURT or OTHER PANEL (Specify below)
U.S.		DISTRICT OF KANSAS KSXWI
5 24	vene /	WICHITA, KANSAS
0	Loron	SENTED (Show your full name)    Court of Appeals   Court of Appeals
TOTAL COMPANY		ANSWERS TO QUESTION REPARENCE ABILITY TO PAY
	EMPLOY- MENT	Name and address of employer: Self employed  Name and address of employer: Self employed  IF YES, how much do you  earn per planth? \$ 2000 % How much did you earn per planth? Wes No Manuel  If married is your Spouse employed? Yes No Manuel
		IF YES, how much does your  Spouse earn per month \$ (000) Parents or Guardian's approximate monthly income \$
ASSETS -	OTHER	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?   Yes  SOURCES  THE SOURCES  THE SOURCES
	CASH	Have you any each an hand or money in savings or checking account \( \tag{Yes} \) Yes \( \tag{No} \) IF YES, state total amount \( \frac{\$//.70}{2} \)
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?  IF YES, GIVE VALUE AND \$ 1974 Ford 30 SECRIPTION  DESCRIBE IT
OBLIGATIO & DEBTS		MARITAL STATUS  SINGLE  Dependents  MARRIED  WIDOWED  SEPARATED OR  DIVORCED  List persons you actually support and your relationship to them  Wife to Children
SUBSCRIBE DA	(LIST AL	VORN REFORE ME THIS Duby, Kousan \$500.00
		NATURE OF DEFENDANT OR PERSON REPRESENTED)  X  NULL  X  1/2/49
WARN	NG: A FA	LISE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE

FILED

				JUL 1 4 19	03
		DISTRICT OF	KANSAS		
				RALPH L. DELOACH By Cala Ray	
				By Chica Chi	Dapı
U	NITED STATES OF AMERICA			U	
		OBDI	in Character	C COMPIEMONIC	
	V.	UKDE		G CONDITIONS	
			OF KE	LEASE	
		Case Number	: 89-108	1M_02	
L	OREN EUGENE HALL, JR.	0400 1 14111002	. 09-100	IM-02	
	Defendant				
IT I	S OPDEPED that the release of the defer	dont is subject to the	£-11		
11 1.	S ORDERED that the release of the defer	idant is subject to the	following condi	tions:	
(1)	The defendant shall not commit any offe	nse in violation of fee	deral, state or loc	al law while on release in	this
	case.				
(2)	The defendant shall advise the court and telephone number and pl	the U.S. attorney in ace of employ	writing prior to	any change in address. telephone number	c)
(3)	The defendant shall appear at all proce	edings as required an	nd shall surrende	er for service of any sente	ence
1	imposed as directed. The defendant shall	l next appear at (if bl	ank, to be notifie	ed)	
	Wichita, Kansas	T. 19	1000 0	Place	
	withitta, Ransas 0	n July / 9, 1	Date and Time	30 a.m.	<b>P.</b>
	Release on Personal	Recognizance or	Unsecured Bo	ond	
IT IS	FURTHER ORDERED that the defenda	nt be released provide	ed that:		
		_			
	The defendant promises to appear at all pimposed.	proceedings as require	and to surrend	er for service of any sente	nce
) (4)					
	The defendant executes an unsecured by	oond binding the def	endant to pay the	ne United States the sum	of

### **Additional Conditions of Release**

the	safety of	of ot	ding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and ther persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ked below:
(		(Nar	defendant is placed in the custody of: me of person or organization)
		(Add	dress)
1		(City	y and State) (Tel. No.) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the
app:	earance	of th	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the he defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant nditions of release or disappears.
			Signed:
			Custodian or Proxy
( 2	()	(a) (b)	e defendant shall: maintain or actively seek employment. maintain or commence an educational program. abide by the following restrictions on his personal associations, place of abode, or travel: That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court.
	(X)	(d)	avoid all contact with the following our machine with the contact with the following our potential witnesses:
	( )	(e)	report on a regular basis to the following agency:
	( )	(f)	comply with the following curfew:
	(·)	(h)	refrain from possessing a firearm, destructive device, or other dangerous weapon. refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	()		execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
	( )		post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
\	100	(1)	execute a bail bond with solvent sureties in the amount of \$ 50,000, &
		(m)	return to custody each (week)day as ofo'clock after being released each (week)day as ofo'clock for employment, schooling, or the following limited purpose(s):
	()	(0)	surrender any passport to obtain no passport.
	` '	·E7	

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

1/4 chita.

City and State Telephone

#### **Directions to United States Marshal**

( ) The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: July 12, 1989

Judicial Officer

-	k20 (Int 1/88) APPOIN	ITMENT OF / O A			COURT APP	TED COL	JNSEL
and the same	JURISDICTION 8 7	APPEALS	2. MAG. DOCI	KET NO.	3. DIST. CT. D	NO. VOL	CHERNO.
	MAG. 2 DIST. 4 D		89-1081				0144/24
4. £	APPEALS DOCKET NO., 5.	. FOR (DISTRICT/CIRCUIT)	6. LOC. CODE		7. CHARGE/OFFE	VSE (U.S. or	lation)
		Kansas	KEXWI		21 USC 84.	1	68
1 .8	N THE CASE OF			9. PERSO	ON REPRESENTED (FI	JLL NAME)	9A. NO. REPRES.
		Hall		10 C		Hall,	Jr. 1
10.	PERSON REPRESENTED (ST		5 OTHER		CEEDINGS (Describe br	lefly)	
	2 DEFENDANT-JUVENI	ILE 4 APPELLEE		gii	proceeding	LEU	
12.	PAYMENT CATEGORY A FELONY C	PETTY OFFENSE E	OTHER				
	B DMISDEMEANOR D	APPEAL _	LI OTHER		JUL	1 4 191	39
13.	COURT ORDER						
	O Appointing Counsel F	Subs. for FD P S	Subs. for Panel Att	ty	- BALPH L. C	el OACH	CLERK
	C Co-Counsel R Sub	s, for Retained Atty.		Appt. Date	mame of p	KOMA V	oucher No
	Because the above-named "per	rson represented" has testif		has 10	NAME OF ATTORNI		AND
	otherwise satisfied this court to counsel and (2) does not wish	to waive counsel, and beca	use the interests o	f	MAILING ADDRESS		
	justice so require, the attorney represent this person in this ca		em 14 is appointed	l to	G. Craig Ro	binson	
	N. 1.11.	13 11.	e e 8		Attorney at	Law	
	Sig. of Presiding Jun	dicial Officer or By Order of	of Court (Clerk/De	anutyl	330 N. Main		
	,	allela. Ottool of of order	, opan (c.c.x/2)	sputy	Wichita, Ka	nsas	67202
▶	July 12, 1989			15	TELEPHONE NO.	10	6. SOC. SEC. NO.
	Date of Order		Pro Tunc Date		316/267-122	9	514-52-7980
			IM FOR SERV				
17.	SERV	/ICE	HOU	JRS	DATES		Multiply rate per hour times total hours to
	a. Arraignment and/or Plea	200					obtain "In Court"
	<ul> <li>b. Bail and Detention Hearing</li> <li>c. Motions Hearings</li> </ul>	95				<u> </u>	compensation.
	d. Trial						Enter total below.
OURT	e, Sentence Hearings			-			
00	f. Revocation Hearings						
Ξ	g. Appeals Court						17A. TOTAL IN
	h. Other (Specify on addition	nal sheets)					COURT COMP.
	(Rate per hour = )	60.00) TOTAL HOUR	RS =				\$
18.	a. Interviews and conference	95					Multiply rate per hour
JRT	b. Obtaining and reviewing re	ecords .				•	times total hours. Enter total "out of court" compensation
COU	c. Legal research and brief w	riting					below.
OF (	d. Travel time (Specify on ad						18A. TOTAL OUT OF
OUT (	e. Investigative and other wor						COMPENSATION
		40.00 ) TOTAL HOUR	RS=				\$
19.	TRAVEL, LOD NG, MEAL	LS ETC. AMOUNT		OTHER EX	PENSES	AMOUN	19A, TOTAL TRAVEL
1 1							s
lŀ							19B. TOTAL OTHER
SES							EXP.
FNS	,						\$
EXPE							20. GRAND TOTAL
"							CLAIMED
							\$
	CERTIFICATION OF ATTOR				то		
F     Has	Final Payment     Interior   Interior	im Payment No sement for work in this cas	se previously been	applied for	PYES DNO		
If y	es, were you paid? 🗌 YES 🛭	NO If yes, by whom were	e you paid?	Ho	ow much?	_ Has the pe	rson represented paid any
	ney to you, or to your knowled es, give details on additional sh		ection with the m	atter for wh	ich you were appointed	to provide r	epresentation? 🗆 YES 🗆 NO
Isv	ear or affirm the truth or corre						•
abo	ve statements		RE OF ATTORN				DATE
o E	22. IN COURT COMP.	23. OUT OF COURT CO		EL EXPENS		XPENSES	26. TOTAL AMT. APPROVED/CERT.
VEC	\$ 27. SIGNATURE OF PRESID	\$	\$		\$		\$
PROVED					DATE		27A. JUDGE/MAG. CODE
FOR	28. SIGNATURE OF CHIEF	JUDGE, CT. OF APPEALS	S (OR DELEGAT	E)	DATE		29. TOTAL AMT. APPROVED

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491

FTS: 752-6491

July 19, 1989

444 S.E. QUINCY
-TOPEKA, KANSAS 66683
(913) 295-2610
FTS: 752-2610
151 U.S. COURTHOUSE
812 NORTH SEVENTH
KANSAS CITY, KANSAS 66101
(913) 236-3719

490 U.S. COURTHOUSE

SILVER CLERK

RE: United States of America v. Loren Hall, Jr. Mag. No. 89-1081M-02 Oklahoma No. 89 CR 83E

Dear Sir:

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

Waiver of Removal Hearing Courtroom Minute Sheet dated 7-12-89 Order Setting Conditions of Release CJA Appointment of Counsel Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very truly yours,

RALPH L. DELOACH, CLERK

Carla Ray, Deputy Clerk

cc: U.S. Attorney Craig Robinson U.S. Magistrate U.S. Probation

NORTHERN

DISTRICT OF

Jack C. Silver, Clerk U.S. DISTRICT COURT

ľ	INTEREST	CTATEC	OF AMERICA
l	INTEREST	SIAIRS	UF AMERICA

STA	TES O	FAME	RICA											
	V.					C	RDE	R	SETT OF I	ING RELI	-		ITIO	NS
IAL	L				_	Case 1	Number	:	89-CR	-83-	03 -	E		
De	fendan													
						is subjec						vhile o	n releas	e in this
enda	ant sha	l advise	the c	ourt an	d the	U.S. atto	rney in	wri	ting pric	or to an	ny cha	nge in	address	
fend	ant sha	ll appe	ar at a	ill proc	eeding	gs as req	uired ar	nd s	hall surr	ender	for se	rvice	of any s	entence
d as	directe	d. The	defend	lant sha	all nex	t appear	at (if bl	ank,	to be n	otified)	)	Pla	ace	
					on			-						
					on			Date	and Tim		e	e		

#### Release on Personal Recognizance or Unsecured Bond

( <b>V</b> )		The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
--------------	--	---

IT IS FURTHER ORDERED that the defendant be released provided that:

(	) (5)	The	defendant	executes	an	unsecured	bond	binding	the	defendant	to	pay	the	United	States	the	sum	of
												_ do	llars	(\$				)
		in th	e event of	a failure to	o ap	pear as req	uired o	or to surr	ende	r as directe	d fe	or sei	rvice	of any	sentend	e in	pose	d.

#### **Additional Conditions of Release**

he safety	in finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the marked below:
	The defendant is placed in the custody of:
(0)	(Name of person or organization)
	(Address) (City and State) (Tel. No.)
appearance	(a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant y conditions of release or disappears.
	Signed:
	Custodian or Proxy
( ) X(X) ( )	(a) maintain or actively seek employment.  (b) maintain or commence an educational program.  (c) abide by the following restrictions on his personal associations, place of abode, or travel:  Pravel is restricted to the Northern District of Oklahoma unless permission to travel outside the Northern District is granted.  From the U. S. Probation Office.  (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:  K(e) report on a regular basis to the following agency:
,	Report to the U. S. Probation Office as directed.  (f) comply with the following curfew:
( )	<ul> <li>(g) refrain from possessing a firearm, destructive device, or other dangerous weapon.</li> <li>(h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.</li> <li>(i) undergo medical or psychiatric treatment and/or remain in an institution, as follows:</li> </ul>
(X)	(i) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:\$50,000 cash/surety
()	(k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
	(I) execute a bail bond with solvent sureties in the amount of \$
(	(n) surrender any passport to (o) obtain no passport.  K(p)To successfully participate in drug monitoring as directed by the U. S. Probation Office

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both; (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

1050 N. Georgie St.

Address

Derby, KS 67037

NO PHONE

City and State

Telephone

#### Directions to United States Marshal

( ) The defendant is ORDERED released after processing.

XXX) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: \_\_\_\_7-20-89

Judicial Officer

INFORMATION	SHEET
-------------	-------

July W, 1989, Before Magistrate: Wagner (X) Wolfe ()
Case No. 89-CR-83-E (M)   FILED
UNITED STATES OF AMERICA V. LOREN E. Hay
Defendant's Age 34 Sex May Date of Birth 4-30-55  Defendant's Address 1050 N. Greongie U.S. DISTRICT COURT
Defendant's Address 1050 N. Greongie U.S. DISTRICT COURT
DERBY Kanson 67637
Defendant's Address 7050 7V. Greorgie U.S. DISTRICT COURT  North Kansa 67637  (Phone #) North (daughters)  phone)
Date of Arrest Arrested by
Date of Arrest  Arrested by  Bail Fixed \$ 50,000 (A Set in dist of KS) (Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$ (Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made
Special Conditions: ( Report as Directed  ( Travel restricted to ND/OK and List/KS + WD/OF  ( ) Refrain from possession of firearm, etc.  ( Successful participation in drug screening  ( )
Preliminary Exam: Date Scheduledat
Arraignment: Date Scheduledat
Defendant Requests Public Defender: yes ( ) no ( )
Defendant's Attorney: Alm Mslet (Ct.Apptd) (Retained)  5561 S. Lewis Hve. Suite 200
74/05 (Phone #) 747-1058
Attorney for USA: Smorgan
Remarks:
Minute: <u>Aappears for IA</u> . Junion Offid executed, FN agot & present Band continued as set in elect of KS. Our held, I pleads NG, sched dates to be med.  Bail 1xt made.
Minute: <u>Aappears for IA</u> . Finan Offid executed, FN agot & present Band Continued as set in flat of KS. Air held, I pleads NA, sched dates to be med.  Dull 14th Made.  Defendant remanded to custody of U. S. Marshal.

### FINANCIAL AFFIDA IT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	UNITED STA	TES MAGISTRATE DISTR		OTHER PANEL (Specify below)	
IN THE	CASE OF	l mac . S	FOR	CT. 1	LOCATION NUMBER
L W 2	1	vs. Loren E	AT Cusa,	OW.	1085-4
	u dr		Vhorth	um Oble	DOCKET NUMBERS
		ESENTED (Show your full name)		1 Defendant—Adult	Magistrate
	OPEN 9	Eugene Hall		2 Defendant—Juvenile 3 Appellant	
				4 🗆 firquation Violator	District Court 89-UR-83-E
CH/	ARGE/OFFENS	E (describe if applicable & check box	Felony  Misdemeanor	5 Parole Violator 6 Habeas Petitioner, 1989	Court of Appeals
C		1.1 100 4-		7 🗆 2255 Petitioner	
1	rogue	and to mayor. El Surstance T21:		8 Material Witness 9 Office Specify Liver, C	erk
1 (6	ntrall	el Si BETANCE T21:	846	U.S. DISTRICT CO	UKI
Construction of the Constr		ANSWERS TO QU	ESTIONS REGARDING		
1		Are you now employed?	☐ Yes ☐ No 💢	Am Self Employed Dzu	0. 1/4
		Name and address of emplo IF YES, how much do you		NO, give month and year of	1/
	EMPLOY-	earn per month? \$_	2000 THO	ow much did you earn per m	
		If married is your Spouse en		No	
		IF YES, how much does your		under age 21, what is you	
- 1		Spouse earn per month	<u> </u>	Guardian's approximate me	
		Have you received within the past the form of rent payments, interest			
	OTHER		RECEIVED	SOURCES	
ASSETS	INCOME	IF YES, GIVE THE AMOUN RECEIVED & IDENTIF			
		THE SOURCE	S L	<u> </u>	
- 1	CASH	Have you any cash on hand or mo	ney in savings or checking	account 🗆 Yes 🔀 No 🛚 IF YES	, state total amount \$
		Do you own any real estate,		utomobiles, or other valuable	property (excluding ordinary
	PROP-	household furnishings and cloth	VALUE VALUE	BEIGNIFTIO	N
	ERTY	IF YES, GIVE VALUE AN			
		DESCRIBE 1			
		MARITAL STATUS	Total List pe	rsons you actually support and your	
		SINGLE	Dependents	1	Hou (41)
	DEPI	ENDENTS   MARRIED	1 1	so orshur Dowin	1 Hau (8)
OBLIGATION	(5	SEPARATED OR DIVORCED		A June 2	(Mar (a)
& DEBTS	DER	TC 9 (	Creditors		Total Debt Monthly Payt.
		THLY OR HOME:	Rent	\$	\$ 500
		LL CREDI-	0	\$ 2	5, 900 \$
	BANKS, PANIES,	CHARGE TO SEE TO THE PERSON PROCESS FIRE TO THE PERSON PROCESS FOR T	4 Reposssors Ed Eg	med Many \$	<u>\$</u>
	ACCOUNT	TS, ETC.)		bove to be correct.	<u> </u>
	SIG	NATURE OF DEFENDANT		bloll	7
		(OR PERSON REPRESENTED)	Jolly E	Hally	+ 20-87

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

JUL 2 ) 1989

	IN THE UNITED STATES DISTRICT COURT FOR THE  NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clark
UNITED ST	U.S. DISTRICT COURT
	Plaintiff,
Vs.	) NO. 89-CR-83-01-E
	· · · · · · · · · · · · · · · · · · ·
LOREN E	HALL
	Defendant(s) )
	ORDER APPOINTING COUNSEL
affiant(s)	this 20th day of JULY , 19 89 , the above- ing completed an affidavit as to financial ability to ounsel, and upon review, the Court finds that the is/are financially unable to obtain counsel. In with the Northern District of Oklahoma Plan for ing the Criminal Justice Act of 1984,
IT IS	HEREBY ORDERED that the:
	Federal Public Defender is appointed to represent the following:  all further proceedings unless and until relieved by order of the court.
XX	Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  LOREN E. HALL
	Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
	Federal Public Defender is temporarily appointed to represent the following:
	for purposes of initial appearance only.
Date	d this 20th day of JULY 19 89.
	JOHN LEO WAGNÉR UNITED STATES MAGISTRATE

DISTRICT OF KANSAS

UNITED STATES OF AMERICA  V.	COMMITMENT TO ANOTHER DISTRICT
LOREN HALL, JR.	CASE NUMBER: 88-1081M-02
The defendant is charged with a violation of	21 U.S.C. 841; 846; 853 alleged to have been com-
mitted in the <u>Northern</u> District of <u>Okla</u>	homa
Brief Description of Charge(s):	
manufacturing of, possession of and a Schedule II controlled substance.	distribution of methamphetatmine,
The defendant has been unable to obtain release under	the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.
TO: THE UNITED STATES MARSHAL	
fendant with a certified copy of this commitment	of the above named defendant and to transport that de- forthwith to the district of offense as specified above and flarshal for that District or to some other officer authorized Fed. R. Crim. P. 40 having been completed.
Date 17, 1989	Judicial Officer Cooling
	RETURN
This commitment was received and executed as follow	s:
DATE COMMITMENT ORDER RECEIVED PLACE OF CO	MARITMENT DATE DESENDANT COMMITTEE
7/19/89 U.S.	MMITMENT  M. S. ND/GIC  DATE DEFENDANT COMMITTED  7/20/89
7/20/89 Kemseth L. Pe	Karek Chilamia SDUSM

NORTHERN	DISTRICT OF	Jack C. Si OKLAHOMAJS, DISTR	ICT CO
INITED OF ACTOR OF A STATE OF			
UNITED STATES OF AMERIC	A		
V.	ORDE	R SETTING CONDITION	ONS
		OF RELEASE	
MICHAEL STEVEN HALL	Case Number:	89-CR-83-06-E	
Defendant	·	05 01. 00 00 <u>D</u>	
Delendant			
IT IS ORDERED that the release of	f the defendant is subject to the f	ollowing conditions:	
(1) The defendant shall not some	t and affect to 1 1 1 1 CC 1		
<ol> <li>The defendant shall not commit case.</li> </ol>	it any offense in violation of fede	eral, state or local law while on rele	ase in thi
case.			
(2) The defendant shall advise the	court and the U.S. attorney in	writing prior to any change in addre	ess.
case.	court and the U.S. attorney in	writing prior to any change in addre	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at</li></ul>	court and the U.S. attorney in value all proceedings as required and	writing prior to any change in addre	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at</li></ul>	court and the U.S. attorney in	writing prior to any change in addre	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at imposed as directed. The defendant</li></ul>	court and the U.S. attorney in value all proceedings as required and and and and shall next appear at (if blands)	writing prior to any change in address shall surrender for service of any nk, to be notified)  Place	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at imposed as directed. The defendant</li></ul>	court and the U.S. attorney in value all proceedings as required and and and and shall next appear at (if blands)	writing prior to any change in address shall surrender for service of any	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at imposed as directed. The defendant</li></ul>	court and the U.S. attorney in value all proceedings as required and and and and shall next appear at (if blands)	writing prior to any change in address shall surrender for service of any nk, to be notified)  Place	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at imposed as directed. The defendant</li></ul>	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if blands) on	writing prior to any change in address  shall surrender for service of any  nk, to be notified)  Place  Place	ess.
<ul><li>(2) The defendant shall advise the</li><li>(3) The defendant shall appear at imposed as directed. The defendant</li></ul>	court and the U.S. attorney in value all proceedings as required and and and and shall next appear at (if blands)	writing prior to any change in address  shall surrender for service of any  nk, to be notified)  Place  Place	ess.
(2) The defendant shall advise the (3) The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed.	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if blands) on	writing prior to any change in address of shall surrender for service of any nk, to be notified)  Place Place  The and Time	ess.
(2) The defendant shall advise the (3) The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed. The defendant shall advise the	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if blands) on	writing prior to any change in address of shall surrender for service of any nk, to be notified)  Place  ate and Time  Insecured Bond  that:	ess.
(2) The defendant shall advise the (3) The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed.	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if blands) on	writing prior to any change in address of shall surrender for service of any nk, to be notified)  Place  ate and Time  Insecured Bond  that:	ess.
(2) The defendant shall advise the (3) The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed. The defendant shall appear at imposed as directed. The defendant shall advise the imposed as directed. The defendant shall appear at imposed as directed.	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if bland onon	writing prior to any change in address of shall surrender for service of any nk, to be notified)  Place  ate and Time  Insecured Bond  that:  and to surrender for service of any	ess.  / sentence
(2) The defendant shall advise the  (3) The defendant shall appear at imposed as directed. The defendant imposed as directed. The defendant promises to appear imposed.  (4) The defendant promises to appear imposed.	court and the U.S. attorney in value all proceedings as required and and and shall next appear at (if bland onon	writing prior to any change in address of shall surrender for service of any nk, to be notified)  Place  ate and Time  Insecured Bond  that:  and to surrender for service of any	sentence

#### **Additional Conditions of Release**

the safety o	finding that release by one of the above methods will not other persons and the community, it is FURTHER marked below:	ot by itself reasonably assure the appearance of the defendant and ORDERED that the release of the defendant is subject to the
	The defendant is placed in the custody of: (Name of person or organization)	
	(Address)(City and State)	
who agrees appearance of	(a) to supervise the defendant in accordance with a	(Tel. No.)
		Signed:
		Custodian or Proxy
Travel permis from t	(d) avoid all contact with the following named persons  (e) report on a regular basis to the following agency:  (g) refrain from possessing a firearm, destructive dev  (h) refrain from excessive use of alcohol, and any use  defined in 21 U.S.C. §802 unless prescribed by a  (i) undergo medical or psychiatric treatment and/or respective development.	chern District is granted Include District of Kansas, www.P. Ok. , who are considered either alleged victims or potential witnesses:  Lee as directed.  ice, or other dangerous weapon. or possession of a narcotic drug and other controlled substances licensed medical practitioner. emain in an institution, as follows:
XX,	(j) execute a bond or an agreement to forfeit upon designated property: \$10,000 cash,	failing to appear as required, the following sum of money or surety
()	(k) post with the court the following indicia of owners percentage of the above-described money:	ship of the above-described property, or the following amount or
( )	(l) execute a bail bond with solvent sureties in the ar	mount of \$
	(m) return to custody each (week)day as of	_o'clock after being released each (week)day as ofing limited purpose(s):
()	(n) surrender any passport to	
	(o) obtain no passport.	
	S. Probation Office	ng monitoring as directed by the
V .	D. FIONACION OTLICE	

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both; (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

> Michael Hall Signature of Defendant 1058 N. Georgie St. Address Derby, KS 67037 NONE City and State Telephone (316) 788-6015

#### Directions to United States Marshal

$( \cdot )$	The defendant is ORDERED released after processing.
K)	The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or indicial officer that the
	defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.
	appropriate judicial officer at the time and place specified, if still in custody
	7 20 00

INFORMATION	SHEET
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Тировия	CION SHEET
^ '	
Case No. 89-C1-83-8 (DL)	efore Magistrate: Wagner ( Wolfe ( ) )
UNITED STATES OF AMERICA V. Michael	El Sterren Hall ock C. Stiver, Clerk
Defendant's Age 37 Sex Male Dat	e of Birth 09-08-52U.S. DISTRICT COURT
Defendant's Address /058 N. 6	
Derby Kur	ns 67037
	(Phone #) None (788-1015)
Date of Arrest	Arrested by
Bail Fixed \$ 10,000 (at set in disting KS)	(Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$	
Bail Not Made	
( ) Kerrarii From po	ted to ND/OK and Wid/kansas & WO/OK ossession of firearm, etc. ticipation in drug screening
Preliminary Exam: Date Scheduled	at
Arraignment: Date Scheduled	at
Defendant Requests Public Defender: yes	s ( ) no ( )
Defendant's Attorney:Bo	Oth (Ct.Apptd) (Retained)
Attorney for USA: 4. Murgan	(Phone #)
Remarks:	
Minute: Dappeau for FA. Finance  V present. Bond Cont as sex  feld I pleads Na, school  Bail not madee.	t is Dist of Ks. Arr also dates to be med.
(X) Defendant remanded to custody of U.	S. Marshal.

IN THE (	UNITED STA	TES [	MAGISTRATE DE DIS	STRICT	APPEALS (	COURT or	OTHER PANEL (SI	pecify below)	LOCATIO	ON NU	WAS TO SERVICE OF THE PARTY OF
1 45		1	Michael	FOF	man The	un 8	M. O.		LOCATIO	N NO	MBER
- 1	en Har			AT	north	M	0.0.		108	5-1	f
			ow your full name)	_	/ www	<u>~ 01</u>	1 Defendant—A	dulė	DOCKET	NUM	BERS
N	Mehr	d Ateva	in Hay				2 Defendant—J 3 Appellant		Magistrate		
СНА	ARGE/OFFENS	E (describe if	applicable & check bo	ox → )	yn Felony □ Misdemea	nor	4 ☐ Probation Violate 5 ☐ Parole Violate 6 ☐ Habeas Petiti	ones 198	189-0		83.2
Cor	usp to	my	Controlled SUBSTANCE	T21	1:846		7 ☐ 2255 Petitione 8 ☐ Material With JCICK 9 ☐ Other Specif	ess	Clerk OURT		
			ANSWERS TO Q		The same of the sa	ARDING	ABILITY TO P	AY			
		Are you	now employed?	Ye:	s D No		m Self Employe	d	1.6		
	EMPLOY- MENT		d address of emp now much do you arn per month? \$			IF I	NO, give month we much did you	and year o	f last empl		ent
		If marrie	d is your Spouse low much does youse earn per mor	employ our	/ed? □ Y If a		No Divince & under age 21, w Guardian's appr			ome !	\$
ASSETS -	OTHER INCOME	IF YES,	eceived within the part rent payments, inter GIVE THE AMOU CEIVED & IDENT THE SOURCE	est, divid	onths any inc dends, retirer RECEIVED	come from	a business, profes nnuity payments, or	sion or othe other source sources	s? 🗌 Yes	f-empl	
1	CASH	Have you a	ny cash on hand or r	noney in	savings or o	checking a	account 🗆 Yes 😾	No IFYE	S, state total	amoui	nt \$
	PROP- ERTY	household	wn any real estate furnishings and cle GIVE VALUE A DESCRIBE	othing)?	☐ Yes VALUE	No	tomobiles, or oth	er valuable		exclud	ing ordinary
OBLIGATION		ENDENTS {	MARITAL STATUS  SINGLE  MARRIED  WIDOWED SEPARATED OR DIVORCED	+	Total No. of ependents	List pers	ons you actually sup	port and your	relationship (	to then	n
& DEBTS	<b>4</b> —	rs & r	APARTMENT		Creditor	s			Total Debt		Monthly Payt.
		THLY	OR HOME:			4		\$		_\$_	
	TORS, IN BANKS, PANIES,	LL CREDI- NCLUDING LOAN COM- CHARGE TS, ETC.)			MM			\$\$ \$\$		_\$_ _\$_ \$	
	2000	,			I certify	y the ab	ove to be correc	t.			
			F DEFENDANT REPRESENTED)		Much	all 1	Hell	_			

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

Jul. 2 J 1989 IN THE UNITED STATES DISTRICT COURT FOR THE Jack C. Silver, Clark NORTHERN DISTRICT OF OKLAHOMA U.S. DISTRICT COURT UNITED STATES OF AMERICA, Plaintiff, VS. NO. 89-CR-83-06-E MICHAEL STEVEN HALL Defendant(s) ORDER APPOINTING COUNSEL On this 20th day of JULY \_, 19<u>89</u>, the abovenamed having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984, IT IS HEREBY ORDERED that the: Federal Public Defender is appointed to represent the following: MICHAEL STEVEN HALL XX all further proceedings unless and until relieved by order of the court. Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, necessary, for appointment to represent the following: Defendant will reimburse the government for reasonable cost of providing representation accordance with his/her ability to pay as determined by further order of the court. Federal Public Defender is temporarily appointed to represent the following: for purposes of initial appearance only. Dated this 20th day of JULY

UNITED STATES MAGISTRATE

	DISTRICT OF KANSAS
UNITED STATES OF AMERICA V.	COMMITMENT TO ANOTHER DISTRICT
MICHAEL STEVEN HALL	CASE NUMBER: 89-1081M-01
The defendant is charged with a violation of	of U.S.C. <u>846</u> ; <u>841</u> ; 853 alleged to have been com-
mitted in the Northern District of	Oklahoma .
Brief Description of Charge(s):	
manufacturing of, possession of Schedule II substance.	and distribution of methamphetamine, a
The defendant has been unable to obtain release to	under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.
TO: THE UNITED STATES MARSHAL	
fendant with a certified copy of this commitrement there deliver the defendant to the United Sta	stody of the above named defendant and to transport that dement forthwith to the district of offense as specified above and ates Marshal for that District or to some other officer authorized red by Fed. R. Crim. P. 40 having been completed.
Date 7, 1989	Judicial Officer B. Wooling
	RETURN
COPY This commitment was received and executed as f	follows:
	E OF COMMITMENT DATE DEFENDANT COMMITTED 7/20/89
DATE UNITED STATES MARSHAL  7/20/89 Kenneth L. P	(BY) DEPUTY MARSHAC

V. NOTICE  LOREN EUGENE HALL, JR. CASE NUMBER: 89-CR-83-03 & 06-E  MICHAEL STEVEN HALL  TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U. S. COURTHOUSE  TULSA OKLAHOMA  TYPE OF PROCEEDING  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  PLACE  DATE AND TIME PREVIOUSLY SCHEOULED  AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF GOURT  7-21-89  REVELLY MCCHILOUGH  REVELLY MCCHILOUGH	NOF	RTHERN DIST	RICT OF OKLAHOMA
V.  LOREN EUGENE HALL, JR. MICHAEL STEVEN HALL  TOPE OF CASE:  CIVIL  CRIMINAL  CASE NUMBER: 89-CR-83-03 & 06-E  CIVIL  CRIMINAL  CASE NUMBER: 89-CR-83-03 & 06-E  COUNTROLOGY  TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U. S. COURTHOUSE TULSA OKLAHOMA  TYPE OF PROCEEDING  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  PLACE  DATE AND TIME  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  AND TIME  JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT  T-21-89  BEVERLY MCCUllough			
LOREN EUGENE HALL, JR. MICHAEL STEVEN HALL  TYPE OF CASE:  CIVIL  CRIMINAL  CASE NUMBER: 89-CR-83-03 & 06-E  CIVIL  CRIMINAL  CASE NUMBER: 89-CR-83-03 & 06-E  CIVIL  CRIMINAL  ROOM NO. COURTROOM #2 DATE AND TIME SEPTEMBER 18, 1989, 9:30 A.M.  TYPE OF PROCEEDING  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  PLACE  DATE AND TIME PREVIOUSLY SCHEDULED  AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  T-21-89  BEVETLY MCCUILlough	U.S.A.		
MICHAEL STEVEN HALL  TYPE OF CASE:  CIVIL  CRIMINAL  TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U S COURTHOUSE  TULSA OKLAHOMA  COURTROOM #2  DATE AND TIME  SEPTEMBER 18, 1989, 9:30 A.M.  TYPE OF PROCEEDING  JURY TRIAL  DATE AND TIME PREVIOUSLY SCHEOULED  AND TIME  JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT  T-21-89  BEVERLY MCCULLough	V.		NOTICE
TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:  PLACE  U S COURTHOUSE TULSA OKLAHOMA  COURTROOM #2 DATE AND TIME SEPTEMBER 18, 1989, 9:30 A.M.  PAGE  DATE AND TIME PREVIOUSLY SCHEDULED  AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  T-21-89  Beverly McCullough			<b>CASE NUMBER:</b> 89-CR-83-03 & 06-E
TULSA OKLAHOMA  TULSA OKLAHOMA  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LAGE  DATE AND TIME PREVIOUSLY SCHEDULED  AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  7-21-89  Beverly McCullough	PE OF CASE:	□ CIVIL	A CRIMINAL
U S COURTHOUSE TULSA OKLAHOMA  COURTROOM #2 DATE AND TIME SEPTEMBER 18, 1989, 9:30 A.M.  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LACE  DATE AND TIME PREVIOUSLY SCHEDULED  AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  7-21-89  Beverly McCullough	X TAKE NOTICE That a pr	roceeding in this case has bee	n set for the place date, and time set forth below:
TULSA OKLAHOMA  COURTROOM #2 DATE AND TIME  SEPTEMBER 18, 1989, 9:30 A.M.  PE OF PROCEEDING  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LACE  DATE AND TIME PREVIOUSLY SCHEDULED  CONTINUED TO, DATE AND TIME  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  T-21-89  Beverly McCullough	LACE		ROOM NO.
DATE AND TIME SEPTEMBER 18, 1989, 9:30 A.M.  JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LACE  DATE AND TIME PREVIOUSLY SCHEDULED  SCHEDULED  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  7-21-89  Beverly McCullough			COURTROOM #2
JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  DATE AND TIME PREVIOUSLY CONTINUED TO, DATE AND TIME  SCHEDULED  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  7-21-89  Beverly McCullough	TULSA OKLAHOMA		
JURY TRIAL  TAKE NOTICE that the proceeding in this case has been continued as indicated below:  LACE  DATE AND TIME PREVIOUSLY SCHEDULED  JACK C. SILVER, CLERK U.S. MAGISTRATE OR CLERK OF COURT  7-21-89  Beverly McCullough	-		SEPTEMBER 18, 1989, 9:30 A.M.
7-21-89  Beverly McCullough		DATE AND TIME PREVIOUSLY	CONTINUED TO, DATE
Peverty Accurrenge			
DATE (BY) DEPUTY CLERK			Beverly_McCullough
	DATE		(BY) DEPUTY CLERK

To: Jim Heslet
David Booth
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 8-4-89

GOVERNMENT RESPONSES DUE: 8-14-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 8-31-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

#### UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT NORTHERN DISTRICT OF OKLAHOMA

IJUL 5 1989

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR. BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

Defendants.

Jack C. Silver, Clerk U.S. DISTRICT COURT

No. 89CR

INDICTMENT [21 U.S.C. §§846, 841(a)(1): Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute, Methamphetamine; 21 U.S.C. §853: Forfeiture]

THE GRAND JURY CHARGES:

#### COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

#### INTRODUCTION Α.

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,
  DAVID ROYSE LADD, and others both known and unknown to the grand
  jury, would and did knowingly purchase precursor chemicals in the
  Northern District of Oklahoma, and elsewhere, with the intent to
  manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA
  ANN MARTENEY, in Texas, sold methamphetamine, and delivered money
  therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma. (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma. (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine. (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock. (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas. (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit. (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas. (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR. (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas. -4-

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine. (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas. (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals. (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas. (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory. (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas. (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie. (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas. -5(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

#### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

Ву

Assistant United States Attorney

Foreperson

JSM:ddb

DEFENDANT INFORMATION RELATIVE TO A	CRIMINAL ACTIC - IN U.S. DISTRICT COURT
BY. COMPLAINT CINFORMATION XINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED	NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture; Possess	
with Intent to Distribute; and to Petty	DEFENDANT — U.S. vs.
Distribute, Methamphetamine;	
Forfeiture LJ Misde-	L LORAN EUGENE HALL, SR.
meanor LXJ Felony	Address O9UR Q9T
— II C C Citation .	Address 83E
Place of offense 21 USC §§846, 841	Birth Date Alien
ND/OK (a)(1); 853	Female (if applicable)
	(Optional unless a juvenile)
PROCEEDING -	DEFENDANT
Name of Complainant Agency, or Person (& Title, if any)	IS NOT IN CUSTODY
S. Horton (OBNDDC)	1) XX Has not been arrested, pending outcome this proceeding
5. HOLLOH (OBRODO)	If not detained give date any prior summons was served on above charges
Demonia auraiaine suial in annah au Fadaud au Control	2) Is a Fugitive
person is awaiting trial in another Federal or State Court, give name of court	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	IS IN CUSTODY
	4) On this charge
	On another conviction
this is a reprosecution of charges	6) Awaiting trial on other charges
previously dismissed which were	If answer to (6) is "Yes", show name of institution
dismissed on motion of:  U.S. Att'y Defense  DOCKET NO.	
	Hos detainer
this prosecution relates to a pending case involving this same defendant	nas detainer Lifes anive date.
MAGISTRATE	been filed? Li No filed
prior proceedings or appearance(s) before U.S. Magistrate regarding	Mo. Day Year  DATE OF
this defendant were recorded under	ARREST
	Or if Arresting Agency & Warrant were not Federal
ame and Office of Person	DATE TRANSFERRED Mo. Day Year
urnishing Information on THIS FORM   Diane Brown	TO U.S. CUSTODY
U.S. Att'yOther U.S. Agency	
ame of Asst. U.S. Att'y	
f assigned) JOHN S. MORGAN	This report amends AO 257 previously submitted
ADDITIONAL INFORMA	TION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

(1100) 0) 0		
DEFENDANT INFORMAT	TIO. RELATIVE TO A	CRIMINAL ACTIC - IN U.S. DISTRICT COURT
BY COMPLAINT DINFORMAT	TION KINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED		NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture;	Possess	
with Intent to Distribute;		DEFENDANT – U.S. vs.
Distribute, Methamphetamin	ie; Li Minor	
Forfeiture	∟ Misde-	KENT PATRICK THIMMMESCH a/k/a Paul Lassley
	meanor 以图 Felony	Address 89CR 83E
Place of offense	U.S.C. Citation ———	Ricth [
ND/OK	21 USC §§846, 841 (a)(1); 853	Date Male Alien
	(a)(1), 055	(Optional unless a juvenile)
PROCEEDING .		DEFENDANT
Name of Complainant Agency, or Pers		IS NOT IN CUSTODY
S. Horton (OBNDDC)		1) X Has not been arrested, pending outcome this proceeding If not detained give date any prior summons was served on above charges
person is awaiting trial in anothe give name of court	Federal or State Court,	2) Is a Fugitive 3) Is on Bail or Release from (show District)
this person/proceeding is transfer per (circle one) FRCrP 20, 21 or	rred from another district 40. Show District	IS IN CUSTODY
		4) On this charge
		5) On another conviction
this is a reprosecution of charges	)	6) Awaiting trial on other charges Fed'l State
previously dismissed which were	SHOW	If answer to (6) is "Yes", show name of institution
dismissed on motion of: U.S. Att'y Defense	DOCKET NO.	
		Has detainer
this prosecution relates to a pend case involving this same defendant	ing L	nias detailler Lifes prive date
prior proceedings or appearance(	MAGISTRATE	/ filed
before U.S. Magistrate regarding	OASE NO.	Mo. Day Year
this defendant were recorded und	jer	ARREST
		Or if Arresting Agency & Warrant were not Federal
lame and Office of Person Furnishing Information on		DATE TRANSFERRED   Mo. Day Year
THIS FORM   Diane Brown		TO U.S. CUSTODY
	Other U.S. Agency	
lame of Asst. U.S. Att'y	CAN	
if assigned) JOHN S. MORO	GAN	This report amends AO 257 previously submitted
	- ADDITIONAL INFORMA	ATION OR COMMENTS
Special Assessment: Count		

Special Assessment: Count One: \$50.00 DO: September, 1987 to February 16, 1989

DEFENDANT INFORMATION	RELATIVE TO A	CRIMINAL ACTIL	- IN U.S. DISTRICT CO	URT
BY: COMPLAINT CINFORMATIC	N XINDICTMENT	Name of District Court, a	nd/or Judge/Magistrate Location ((	City)
OFFENSE CHARGED		NORTHERN DISTRIC	L OE UKI VHUMV	
Conspiracy to Manufacture; I with Intent to Distribute; a Distribute, Methamphetamine; Forfeiture	and to Petty	DEFENDANT LLOREN EUGENE	– U.S. vs.	9790
	meanor	Address 89C		
1 3TD / OZZ	-U.S.C. Citation	Birth Date (Optional unless a juvenile		Alien (if applicable)
PROCEEDING			DEFENDANT.	
Name of Complainant Agency, or Person	(& Title, if any)	IS NOT IN CUSTO		
S. Horton (OBNDDC)		1) X Has not been arr If not detained of was served on ab	ested, pending outcome this pro live date any prior summons	ceeding
person is awaiting trial in another F give name of court	ederal or State Court,	2) Is a Fugitive	ease from (show District)	
this person/proceeding is transferre	d from another district	IS IN CUSTODY		
this is a reprosecution of charges previously dismissed which were dismissed on motion of:  U.S. Att'y Defense	SHOW DOCKET NO.	4) On this charge 5) On another conv 6) Awaiting trial or If answer to (6)	}   Fed	
this prosecution relates to a pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	MAGISTRATE CASE NO.	been filed? L Mo. DATE OF	I Yes	
this defendant were recorded under		ARREST L	Agency & Warrant were not Fe	doubl
Name and Office of Person Furnishing Information on THIS FORM Diane Brown	Other U.S. Agency	DATE TRANSFER TO U.S. CUSTODY	RED Mo. Day	Year
Name of Asst. U.S. Att'y (if assigned)  JOHN S. MORO			O 257 previously submitted	

-ADDITIONAL INFORMATION OR COMMENT

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

BY: COMPLAINT CINFORMATION XINDICTMENT	CRIMINAL ACTI — IN U.S. DISTRICT COURT  Name of District Court, and/or Judge/Magistrate Location (City)
Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute, Methamphetamine; Minor Forfeiture Misdemeanor	NORTHERN DISTRICT OF OKLAHOMA  DEFENDANT - U.S. vs.  DAVID ROYSE LADD  Address 89CR 83E
Place of offense  ND/OK  U.S.C. Citation —  21 USC §\$846, 841  (a) (1); 853	Birth Date KX Male Alien Female (if applicable (Optional unless a juvenile)
Name of Complainant Agency, or Person (& Title, if any)  S. Horton (OBNDDC)  person is awaiting trial in another Federal or State Court, give name of court  this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	IS NOT IN CUSTODY  1) \( \text{\text{X}}\) Has not been arrested, pending outcome this proceeding If not detained give date any prior summons was served on above charges  2) \( \text{\text{I}}\) Is a Fugitive  3) \( \text{\text{I}}\) Is on Bail or Release from (show District)  IS IN CUSTODY  4) \( \text{\text{\text{I}}}\) On this charge
this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Att'y Defense  this prosecution relates to a pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	4) On this charge 5) On another conviction 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution  Has detainer been filed?  Mo. Day Year  DATE OF ARREST
Name and Office of Person Furnishing Information on THIS FORM Diane Brown  LX.U.S. Att'y  Other U.S. Agency	Or if Arresting Agency & Warrant were not Federal  DATE TRANSFERRED Mo. Day Yea TO U.S. CUSTODY
Name of Asst. U.S. Att'y (if assigned)  JOHN S. MORGAN  ADDITIONAL INFORMA  Special Assessment: Count One: \$50.00	This report amends AO 257 previously submitted

DO: Count One: September, 1987 to February 16, 1989

DEFENDANT INFORMATION RELATIVE TO A	CRIMINAL ACTIC IN U.S. DISTRICT COURT
BY. COMPLAINT CINFORMATION XINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute. Methamphetamine; Minor Forfeiture Misdemeanor	NORTHERN DISTRICT OF OKLAHOMA  DEFENDANT — U.S. vs.  MICHAEL STEVEN HALL  Address
Place of offense  ND/OK  U.S.C. Citation —  21 USC §§846, 841  (a) (1); 853	Birth Date 89CR 83E Alien (if applicable)
Name of Complainant Agency, or Person (& Title, if any)	DEFENDANT
S. Horton (OBNDDC)  person is awaiting trial in another Federal or State Court, give name of court  this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	1) X Has not been arrested, pending outcome this proceeding If not detained give date any prior summons was served on above charges  2) Is a Fugitive 3) Is on Bail or Release from (show District)  IS IN CUSTODY  4) On this charge
this is a reprosecution of charges previously dismissed which were dismissed on motion of:  U.S. Att'y Defense  This is a reprosecution of charges  SHOW  DOCKET NO.	5) On another conviction 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution
this prosecution relates to a pending case involving this same defendant  prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	Has detainer
Name and Office of Person Furnishing Information on THIS FORM Diane Brown LXJU.S. Att'y Dither U.S. Agency	Or if Arresting Agency & Warrant were not Federal  DATE TRANSFERRED TO U.S. CUSTODY  Mo. Day Year TO U.S. CUSTODY
Name of Asst. U.S. Att'y if assigned)  JOHN S. MORGAN	This report amends AO 257 previously submitted
Special Assessment: \$50.00 as to Count One	TION OR COMMENTS

DO: Count One: September, 1987 to February 16, 1989

C			OZZI AHOWA	
NOR	THERN	_ DISTRICT OF _	OKLAHOMA	
UNITED STATE	ES OF AMERICA			
	V.		WARRANT FO	OR ARREST
LORAN EUGEN	E HALL, SR.			
		CASI	E NUMBER:	
To: The United States Ma and any Authorized U	arshal Inited States Officer		89CR	83E
YOU ARE HERE!	BY COMMANDED to	arrest LORAN	EUGENE HALL, SR.	
			Name	
and bring him or her forth	nwith to the nearest r	nagistrate to answe	ra(n)	
	tion   Complaint	Order of court	Violation Notice P	robation Violation Petition
charging him or her with	(brief description of offense)			
Comeniacy to	Manufacture: Po	ssess with Inen	t to Distribute; a	nd to Distribute
Methamphetami	ne; Forfeiture	0000 W2011 =1101.		
in violation of Title2	21United \$	States Code, Section	on(s) 846, 841(a)(1)	, 853
Name of Jesuing Officer	ER	Title of I	ssuing Officer	1000
1111			JUL 0 6	1989
Signature of Issuing Officer		Date an	d Location	
Bail fixed at \$		by		
			Name of Judicia	al Officer
		RETURN		
This warrant was rossis	end and executed with	the arrest of the a	oove-named defendant a	1

NAME AND TITLE OF ARRESTING OFFICER

DATE RECEIVED

DATE OF ARREST

SIGNATURE OF ARRESTING OFFICER

DISTRICT OF \_\_\_\_

OKLAHOMA

UNITED STATES OF AMERICA

NORTHERN

KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal and any Authorized United States Officer 89CR 83E

YOU ARE HER	REBY COMMANDED to arrest	Kent Pat	rick Thimmes	sch a/k/a Paul ne	R. Lassley
and bring him or her fo	orthwith to the nearest magistra	ate to answer a	a(n)		
	mation 🗌 Complaint 🗎 Order	r of court 🔲 \	Violation Notice	☐ Probation Vio	lation Petition
charging him or her wi	th (brief description of offense)				
	to Manufacture; Possess mine; Forfeiture	with Inent	to Distribut	te; and to Dis	tribute
in violation of Title	21 United States C	Code, Section(	(s) <u>846</u> , <u>841</u> (a	a)(1), 853	
JACK C./SII Name of Issuing Officer	VER	Title of Issu	uing Officer	UL 06 1989	
Signature of Issuing Officer		Date and L	ocation		
Bail fixed at \$		by	Name of	Judicial Officer	
	F	RETURN			
This warrant was rec	eived and executed with the arr	est of the abov	ve-named defen	dant at	
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICE	CER	SIGNATURE OF A	RRESTING OFFICER	
DATE OF ARREST					

DATE RECEIVED

DATE OF ARREST

### United States District Court

NORTHERN	DISTRICT OF	OKLAHOMA	
UNITED STATES OF AMERICA V.		WARRANT FOI	R ARREST
LOREN EUGENE HALL, JR.			
	CASE	NUMBER:	
To: The United States Marshal and any Authorized United States Office	r	89CR	83E
YOU ARE HEREBY COMMANDED	to arrestLOREN	EUGENE HALL, JR.	
and bring him or her forthwith to the nearest	magistrate to answer a	i(n)	
☑ Indictment ☐ Information ☐ Complaint	☐ Order of court ☐ \	/iolation Notice   Prob	pation Violation Petition
charging him or her with (brief description of offense)  Conspiracy to Manufacture; Pomethamphetamine; Forfeiture	ossess with Inent	to Distribute; and	to Distribute
in violation of Title21 United	States Code, Section(	s) 846, 841(a)(1),	853
JACK C. SILVER  Name of Issuing Officer  Signature of Issuing Officer	Title of Issu	ocation	989
Bail fixed at \$	by RETURN	Name of Judicial O	fficer
This warrant was received and executed wit	h the arrest of the abov	e-named defendant at _	

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE RECEIVED

DATE OF ARREST

### United States District Court

NORTHERN	DISTRICT OF _		OKLAHOMA	
UNITED STATES OF AMERICA V. BARBARA ANN MARTENEY				FOR ARREST
	CAS	E NUN	ARER.	
	0/10	E NON	IDEN.	
To: The United States Marshal and any Authorized United States Officer		8	9CR	83E
YOU ARE HEREBY COMMANDED to arr	rest <u>BA</u> F	RBARA	ANN MARTENEY Name	
and bring him or her forthwith to the nearest magi	istrate to answe	er a(n)		
X Indictment Information Complaint O	order of court	☐ Viola	tion Notice   F	Probation Violation Petition
charging him or her with (brief description of offense)				
Conspiracy to Manufacture; Posses Methamphetamine; Forfeiture	s with Inent	to D	istribute; an	d to Distribute
in violation of Title United State	es Code, Sectio	on(s) <u>84</u>	6, 841(a)(1),	853
JACK C. SILVER				
Name of Issuing Officer	Title of I		JUL 0	6 1989
Signature of Issuing Officer	Date an	d Locati	on	
Bail fixed at \$	by		Name of Judicia	al Officer
	RETURN			
This warrant was received and executed with the		2010 50	med defendant	at
inis warrant was received and executed with the	anescol the at	JU10-110	anou doiondant t	

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

UNITED STATES OF AMERICA

DAVID ROYSE LADD

NORTHERN

WARRANT FOR ARREST

CASE NUMBER:

DISTRICT OF \_\_\_\_OKLAHOMA

To: The United States Marshal and any Authorized United States Officer '89CR 83E

YOU ARE H	HEREBY COMMANDED to arrestDAV	D ROYSE LADD
		Name
and bring him or he	r forthwith to the nearest magistrate to answ	ver a(n)
X Indictment In	formation   Complaint  Order of court	☐ Violation Notice ☐ Probation Violation Petition
charging him or her	With (brief description of offense)	
Conspiracy Methamphe	y to Manufacture; Possess with Iner tamine; Forfeiture	nt to Distribute; and to Distribute
in violation of Title _	21 United States Code, Sect	ion(s)846, 841(a)(1), 853
JACK CO SI Name of Issuing Officer		leader Offi
Kla	Title of	JUL 0 6 1989
Signature of Issuing Office	Date a	nd Location
Dall Good or 6		
Ball fixed at \$	by	Name of Judicial Officer
	RETURN	
This warrant was re	eceived and executed with the arrest of the a	bove-named defendant at
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

DISTRICT OF \_\_\_\_

UNITED STATES OF AMERICA

NORTHERN

WARRANT FOR ARREST

MICHAEL STEVEN HALL

CASE NUMBER:

To: The United States Marshal and any Authorized United States Officer 89CR 83E

		å «.	
YOU ARE H	EREBY COMMANDED to arres	t	MICHAEL STEVEN HALL Name
and bring him or her	forthwith to the nearest magist	rate to answe	ra(n)
X Indictment Info	ormation	er of court	Violation Notice   Probation Violation Petition
charging him or her v	with (brief description of offense)		
	to Manufacture; Possess amine; Forfeiture	with Inent	to Distribute; and to Distribute
in violation of Title	21 United States	Code, Sectio	n(s)846, 841(a)(1), 853
JACK C. SI	LVER		
Name of Jasuing Officer		Title of Is	JUL 0 6 1989
Signature of Issuing Offic	er	Date and	Location
Bail fixed at \$		by	Name of Judicial Officer
		RETURN	
This warrant was re	eceived and executed with the ar	rest of the abo	ove-named defendant at
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFF	CER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST			